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REPORTS

FROM

COMMITTEES:

FIFTEEN VOLUMES.

—*(10.)*—

RECORD COMMISSION.

Session

4 *February*——20 *August* 1836.

VOL. XVI.

1836.

REPORTS FROM COMMITTEES:

1836.

FIFTEEN VOLUMES:—CONTENTS OF THE

TENTH VOLUME.

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REPORT

FROM THE

SELECT COMMITTEE

ON

RECORD COMMISSION.

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1836.

Jovis, 18° *die Februarii*, 1836.

Ordered, That a Select Committee be appointed to inquire into the Management and Affairs of the Record Commission, and the present State of the Records of the United Kingdom.

And a Committee was appointed of,—

Mr. Charles Buller.
Mr. Hawes.
Mr. Chancellor of the Exchequer.
Sir Robert Inglis.
Mr. Charles Wynn.
Mr. Charles Villiers.
Mr. Wyse.
Mr. Jervis.
Mr. Pusey.
Sir Matthew White Ridley.
Sir Charles Lemon.
Mr. Serjeant Goulburn.
Sir William Molesworth.
Sir George Clerk.
Dr. Bowring.

Ordered, That the Committee have Power to send for Persons, Papers and Records.

Ordered, That Five be the Quorum of the Committee.

REPORT

FROM THE

SELECT COMMITTEE ON RECORD COMMISSION.

THE SELECT COMMITTEE appointed to inquire into the Management and Affairs of the Record Commission, and the present State of the Records of the United Kingdom; and who were empowered to report their Opinion thereupon from time to time to The House:—Have considered the Matters to them referred, and agreed to the following RESOLUTIONS:

1. *Resolved,*

That it appears from Evidence taken before Your Committee that the Record Commission is, as far as can be ascertained, in debt, to the amount of 24,000 *l.*

2. *Resolved,*

That as various current expenses must in addition be provided for out of the Funds annually granted to the Commission, it is expedient that a Sum adequate to the discharge of the whole of the present Debt be forthwith granted, over and above such Sum as the House of Commons may think fit to vote for the current Expenses of the Commission during the present year.

3. *Resolved,*

That in consequence of the advanced period of the Session, and the necessity for an immediate provision for this purpose in the Miscellaneous Estimates for the year, the Amount of this Debt be forthwith reported to The House, with a Recommendation that it be immediately discharged, under the sanction and control of the Lords Commissioners of the Treasury.

REPORT

FROM THE

SELECT COMMITTEE

ON

RECORD COMMISSION.

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1836.

REPORT

FROM THE

SELECT COMMITTEE

ON

RECORD COMMISSION;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
15 *August* 1836.

Jovis, 18° *die Februarii*, 1836.

Ordered, THAT a Select Committee be appointed to inquire into the Management and Affairs of the Record Commission, and the present state of the Records of the United Kingdom.

And a Committee was appointed of,

Mr. Charles Buller.
Mr. Hawes.
Mr. Chancellor of the Exchequer.
Sir Robert Inglis.
Mr. Charles Williams Wynn.
Mr. Charles Villiers.
Mr. Wyse.
Mr. Jervis.
Mr. Pusey.
Sir Matthew White Ridley.
Sir Charles Lemon.
Mr. Serjeant Goulburn.
Sir William Molesworth.
Sir George Clerk.
Dr. Bowring.

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Lunæ, 11° *die Julii*, 1836.

Ordered, THAT the Committee have power to report their Opinion and Observations from time to time to The House.

Lunæ, 15° *die Augusti*, 1836.

Ordered, THAT the Committee have Power to report the Minutes of Evidence taken before them, to The House.

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PLAN of Arrangement of Records in Augmentation Office.

REPORT.

THE SELECT COMMITTEE appointed " to inquire into the Management " and Affairs of the RECORD COMMISSION, and the present State of the " RECORDS of the United Kingdom," and to whom the Petition of *Rowley Lascelles*, Esquire, was referred; and who were empowered to report their Opinion and Observations, together with the MINUTES OF EVIDENCE taken before them, from time to time, to The House;——HAVE considered the matters to them referred, and have agreed to the following REPORT:

YOUR Committee, in the execution of the inquiry entrusted to them by The House, has conducted an investigation lasting through a period of five months, and has summoned and taken the Evidence of 79 persons, including several Commissioners, and the principal persons engaged under the Commission, together with the Secretary, who has been examined before Your Committee during the whole or part of 16 different days: that 54 of these 79 persons have been called at the express request of the Commissioners; and, in order to know the actual condition of the Public Records, several of Your Committee have personally inspected great masses of the Public Records in most of the Repositories in the Metropolis; namely, in the Tower, Rolls Chapel, Chapter House, and in several offices of the Exchequer, and various temporary Repositories.

Your Committee views the Public Records as affording the most pure and ample sources of history, and the best evidences of the progress of civilization, of the growth of our institutions, and of the manners and customs of the country.

Your Committee is fully sensible of the great and indispensable value of the Public Records in the administration of justice, and of their importance in the determination of all rights of property in Tolls, Dues and Mines, of local Customs, Extents, Boundaries and Rights of Soil, and of the several manerial Rights. And although recent changes in the Constitution, as the Reform in the House of Commons, and in the Law, as the Acts relating to Tithes, and those which have limited the period of prescription in real actions, have lessened the practical application of certain portions of the Public Records in these respects, yet their value in a legal view is extensive, and in an historical view remains wholly undiminished. And Your Committee fully appreciates the necessity of providing for their security and preservation, and the importance of increasing the knowledge of them, and of extending access to them, as general and free as is compatible with their safety.

It appears that the Government of the country, as early as the reign of Edward II, manifested a solicitude for the safety of the Public Records, and through successive periods has prosecuted inquiries and instituted various measures respecting them. Committees of both Houses of Parliament have also from time to time reported on their condition. Numerous Reports were made between 1719 and the close of the 18th century. The last and most

extensive Parliamentary investigation was made in 1800, by a Select Committee of the House of Commons, which presented a very elaborate and complete Report, to which frequent references have been made before Your Committee Out of the Report of this Committee proceeded an Address of the House of Commons to His Majesty, who issued a Commission thereupon, setting forth that the "Knights, Citizens and Burgesses, and Commissioners of Shires and "Boroughs, in our Parliament of Great Britain assembled, having taken into "their consideration the state of the Public Records of this Kingdom, and "the necessity of providing for the better arrangement, preservation, and more "convenient use of the same, have humbly laid before Us a Report of their "Proceedings thereon; and have also humbly represented unto Us, that the "Public Records of the Kingdom are in many offices unarranged, undescribed "and unascertained; that many of them are exposed to erasure, alteration "and embezzlement, and are lodged in buildings incommodious and insecure; "and that it would be beneficial to the public service that the Records and "Papers contained in many of the principal Offices and Repositories should be "methodized, and that certain of the more ancient and valuable amongst "them should be printed."

The number of Commissioners then appointed was 12; this was increased at every successive renewal of the Commission: in 1806, to 15; in 1817, to 16; in 1821 and 1825, to 24.

The objects of these various Commissions, and indeed the words in which they were set forth, were preserved alike in each.

In 1831, the present Commission, by which the number was increased to 25, was issued, appointing the following Persons, with more enlarged powers, to perform the same duties, with certain additions:

His Grace the Archbishop of Canterbury.

The Right Hon. Lord Brougham and Vaux, Lord High Chancellor.

The Right Hon. Viscount Melbourne, Secretary of State for the Home Department.

The Right Hon. Charles Manners Sutton, Speaker of the House of Commons.

The Right Hon. Viscount Althorp, Chancellor of the Exchequer.

The Right Hon. Sir John Leach, Master of the Rolls.

The Right Hon. William Dundas, Lord Clerk Register of Scotland.

The Right Hon. The Earl Spencer, K.G.

The Right Hon. The Earl of Aberdeen, K.T.

The Right Hon. The Lord Bishop of Llandaff.

The Right Hon. Thomas Grenville.

The Right Hon. Charles Williams Wynn, M.P.

The Right Hon. Sir James Mackintosh.

The Right Hon. Henry Hobhouse, Keeper of His Majesty's State Papers.

The Right Hon. Lord Dover.

Sir James Parke, one of the Judges of the Court of King's Bench.

Sir John Bernard Bosanquet, one of the Judges of the Court of Common Pleas.

Sir Robert Harry Inglis, Bart. M.P.

Louis Hayes Petit, Esq.

Henry Bellenden Ker, Esq.

Henry Hallam, Esq.

John Allen, Esq.

Edward Protheroe, Jun., Esq.

Edward Vernon Utterson, Esq.

William Brougham, Esq.

The first Commission did not create any quorum Commissioners, but each successive Commission since 1806, has nominated certain ex-officio and quorum Commissioners. Excepting this variation, the constitution of the Commission has remained the same from its institution.

The executory clauses of all the Commissions have preserved the same character.

Your Committee finds that all the several Commissions have specified the same definite objects, and constantly set them forth in the same order, as if to indicate their relative importance. The object first specified is, "to provide for the better arrangement and preservation of the Records of the "Kingdom." This is more fully expressed in the executory clause of every Commission, which enjoins the Commissioners "to methodize, regulate "and digest the Records, Rolls, Instruments, Books and Papers, in any of "our public Offices and Repositories, and to cause such of the said "Records, Rolls, Instruments, Books and Papers, as are decayed and in "danger of being destroyed, to be bound and secured." The next object is, with a view to providing for "their more convenient use, to make Calendars and "Indexes of any of the said Records, Rolls, Instruments, Books and Papers." And the third object is, to "superintend the printing of such Calendars and "Indexes, and Original Records and Papers, (limited by the Address of the "House of Commons, and the words of the Commission, to the 'more ancient "and valuable amongst them,') as the Commissioners might cause to be "printed." Besides these objects, which are common to all the Commissions, the present Commission, after reciting that it had been "thought expedient "that diligent and full inquiry should be made, whether any beneficial altera-"tions or reforms can be introduced into the Offices and Repositories of "Public Records, and the general course of business therein," empowers the Commissioners "to make full and diligent inquiry into the duties of the several "Officers, Clerks and other Ministers, having the care, custody or manage-"ment of the Public Records, in all their several departments, and into the "Salaries, Fees, and other Emoluments and Perquisites received by such "Officers, Clerks, Ministers and other Persons, and also into the Rules, "Usages and Regulations of the several Record Offices, and other Reposito-"ries of Public Records; and the general course of business therein, and all "matters connected therewith; and also to inquire whether any, and what "Reforms, Alterations, Amendments and Improvements may be beneficially "introduced therein, and how such Reforms, Alterations, Amendments and "Improvements may be best carried into effect."

It appears to Your Committee, that the order in which these objects are recited in the Commission, was not dictated by mere chance, but by sound discretion, and an accurate estimation of the relative value of each; that the good arrangement and preservation of the Public Records are constituted the primary and indispensable duties of the Commission; and that although the printing the more "ancient and valuable" is advisable, and should proceed, when it can be done with safety, *pari passu* with other more necessary measures, that the object of paramount importance and earliest attention should be the rendering whatever of the contents of the Record Offices are to be preserved, thoroughly known and perfectly accessible to the Public.

Your Committee has the satisfaction of adding, that the present Commission appears to have publicly sanctioned this view of the order of its duties, on several occasions. In a letter written by the Bishop of Llandaff, a Commissioner, and published by the Commission, there is the following passage: "That

Ev. 237 *a*. "That the Commissioners are bound by the terms of their creation, to pro-
"vide for the due arrangement and convenient use of the Records of the
"several Offices, and for the formation of full and accurate Indexes, before
"they proceed to print costly volumes of matter, however interesting in an
"historical view, cannot be doubted."

Your Committee perceives that similar opinions expressed by Mr. Protheroe, another Commissioner, have been promulgated by the Commission in a printed pamphlet. And further, in a work compiled by the Secretary of the Commission, and also printed and published by the Commission, Your Committee finds

Ev. 3901. it stated (Preface, p. xi), "It should be remembered, that the arrangement of
"Records, the compilation of Calendars, the investigation of the Duties and
"Emoluments of Officers, and the reform of some notorious but deeply rooted
"Abuses, constitute the great and primary object of the Commission; and
"that the printing of certain of the more ancient and valuable amongst the
"Records, is enjoined only as a secondary work."

This view will be found to be very satisfactorily illustrated in the valuable Evidence of Mr. Tytler and Sir Harris Nicolas. It should seem, indeed, that little weight of authority or argument is requisite to prove that the first thing to be done, in order to render the information contained in the great mass of our Records available to the public, is to let the public know what Records exist, and where they are to be found. To propose to attain the same end by printing, appears to be visionary. The whole mass of our Records could not be printed under an expense of several millions; and even if this were done, the effect would only be, according to the forcible image used by Mr. Tytler in his Evidence, the substitution of an unfathomable ocean of print in place of an unfathomable ocean of manuscript. That great service has already been done by the publication of some of the Records of acknowledged value and general usefulness, and that there remain several of a like kind, which it would be equally proper to publish, cannot be doubted; nor is there any reason to suppose that such publication might not with great propriety be carried on simultaneously with the operations applied to the remaining mass of Records. But the information contained in the most valuable Records forms a small proportion of that, which legal or historical inquirers might extract from the whole mass. Through the vast bulk of the least interesting Records there lie scattered at great and unassignable intervals, notices of past events, of the social state and manners of former times, and of the ancient exercise or proof of still-existing rights, of inestimable value as throwing light on some particular point of history, or some litigated claim. The number of these, however, is so small, or the value of each so uncertain until the occasion for turning it to account actually arrives, that it would be impossible to make a satisfactory selection without a thorough preliminary investigation, and wasteful and inconvenient to print the whole extent of Records, in the different parts of which such information is or may be contained. The knowledge of a single fact out of those recorded in a vast roll, may be of essential service to one individual; but it would be wasteful and useless to print the whole for the behoof, on a single occasion, of a single inquirer. It is sufficient, and in justice to that inquirer necessary, that he should be able to know in what Record the information he desires is to be attained, and that easy access should be given him to it. This is the utmost use that is ever made of the far greater proportion of our Records. That this use should, when the occasion arises, be made, is most important both to the due administration of justice, and the complete elucidation of history. The rendering the

great

great mass of our Records generally available to those who may require to consult them, is not therefore to be accomplished by printing, but by securing the preservation of all in any way worth preserving; by making the contents of our Record Offices generally known, by means of full and complete calendars and catalogues; and by securing an easy access to them on the part of every inquirer, by removing those obstacles, which have long existed, in the inconvenient dispersion of the Record Offices, in the confused arrangement of their contents, and above all in the fees which a mistaken policy has allowed to be taken by the keepers. Without impugning the propriety of printing some of the more valuable Records for the constant use of that portion of the public which may desire continually to refer to them, Your Committee cannot doubt the propriety of keeping this object subordinate to that of rendering the whole mass available to all.

It is now the business of Your Committee to report on the extent, in which the Evidence shows these several objects to have been accomplished. The Address of the House of Commons in 1800 represented, "that in many of the "most important offices, the Records are wholly unarranged, undescribed and "unascertained; and some of them are exposed to erasure, alteration and "embezzlement; and others are lodged in places where they are daily "perishing by damp, or incurring a continual risk of destruction by fire." The measures recommended by the Committee of 1800, were distributed under the general heads of Buildings, Calendars and Indexes, Transfers, Establishments of Office, Selection of Original Records; and Your Committee thinks it advisable, in reporting the result of their inquiries, to preserve the same divisions.

I.—BUILDINGS.

Under this head it is convenient to consider, not only the buildings in which the Records are deposited, but also the mode in which provision has been made for their arrangement and preservation.

It does not appear to Your Committee that the Commission has ever at any time possessed the actual control and regulation of the buildings, in which the public Records are kept. Occasional representations of the insufficiency of certain buildings, and of the perils of damp and fire, to which the Records contained in them are exposed, have been made by the Commissioners; yet no thorough reform of these evils has resulted from such representations. Evidence has been given before Your Committee of the removal of large masses of the public Records, during the existence of the Record Commission, at a great expense, to very improper situations and unsuitable buildings; that the Records have been so removed without any superintendence or direction on the part of the Commission, and that great confusion and loss have resulted therefrom. Mr. Cole's Ev., 4437–4453.

Your Committee has found the buildings, in which the public Records are deposited, to be scattered in different parts of the metropolis, whereby great inconvenience and loss of time necessarily accrues to those who search them. The attention of the present Commissioners was drawn to this subject soon after their appointment, as early as May 1831: "At a Board of the Com- "missioners on the Public Records, held 20th May 1831, the Secretary laid "before the Board the observations of Mr. Illingworth" on the Public Records, drawn up at the request of the Commissioners, (at the particular request of

Mr. Illingworth's Ev. 855.

Lord Brougham, says Mr. Illingworth,) which were ordered to be printed; and at page 10 it is stated, "One great and serious inconvenience is continually "felt by the profession, and declaimed against, namely, that the Records of "the Courts in general, but particularly of the Chancery, are dispersed in such "various repositories, and situated so remote from each other, namely, the "Tower, Rolls' Chapel, Petty Bag Office, Crown Office, Examiner's Office, Six "Clerks', Enrolment and Register's Offices, at which different parts of the "proceedings in the same cause are dispersed. If the whole of the Records "of the Court were concentrated in one entire (fire-proof) building, nearer the "Rolls or the Inns of Court, much time, inconvenience and expense would "be saved to the suitors and to the public." Throughout the evidence, particularly that of persons engaged in legal inquiries, the evil of this dispersion of the Record Offices will be found to be matter of general complaint.

The buildings, as stated in 1800, have continued to incur "continual risk "of destruction by fire;" and, to preserve the language of the representations made at the same period, "they are in a state so incommodious and insecure, "as to require immediate attention."

Mr. Petrie's Rep. Appendix to Report of the Commissioners on Public Records, p. 70.

Your Committee has seen the Public Records deposited at the Tower over a gunpowder magazine, and contiguous to a steam-engine in daily operation; at the Rolls, in a chapel where divine service is performed; in vaults two stories under ground at Somerset House; in dark and humid cellars at Westminster Hall; in the stables of the late Carlton Ride; in the Chapter House of Westminster Abbey; in offices surrounded by and subject to all the accidents of private dwellings, as the Augmentation Office and First Fruits Office.

Smaller Record Offices.

The superintendence of all the Public Records, both ancient and modern, without distinction, is entrusted to the Commissioners; but it appears by the

Mr. Cooper's Ev. 1790.

Evidence of the Secretary, "that it has been considered that the object of the "Commission is confined principally to those offices where there are col-"lections of records of ancient date, valuable for historical, antiquarian, "genealogical and topographical, rather than for legal purposes."

Mr. Cooper's Ev., 1798.

"I am of opinion," says the Secretary, "that Repositories such as the Tower "and Chapter House were meant to be the scene of operations of the Board, "and not the King's Bench or Common Pleas Record Offices."

Mr. Cooper's Ev., 1789.

And further, that the Judges "might consider the interference of the Record "Board as meddling and impertinent, with reference to Records daily resorted "to." Acting on this principle, the Commission appears to have exercised no interference in the numerous smaller offices for modern Records, specified

Mr. Cooper's Ev., 1823.

in the answer of the Secretary, beyond requesting Returns from the Keepers, who did or did not furnish them, at their option.

Tower.

Mr. Cooper's Ev., 146.

In the Tower, which the Secretary acknowledges to be a proper object of the attention of the Commission, he informed Your Committee that "Mr. "Stevenson is now employed in sorting and arranging the Miscellaneous "Records."

Mr. Cooper's Ev., 152.

"The Board has three persons sorting and arranging."

Mr. Cooper's Ev, 1051, et seq.

On a subsequent examination, the Secretary stated that three persons "are "engaged in sorting, arranging, calendaring and transcribing the Miscel-"leous unarranged Records."

"Mr.

"Mr. Stevenson is arranging the Miscellaneous Records at the Tower." Mr. Cooper's Ev., 2944.

"Previously to Mr. Stevenson being engaged at the Tower, Sir Francis "Palgrave, by an Order of the Board, dated on the 2d March 1833, was "directed and empowered to examine, sort and arrange the Miscellaneous "unsorted and uncalendared Records and Documents in the Record Office in "the Tower, and to make Calendars thereof." Mr. Cooper's Ev., 1067–2885.

On the other hand, Mr. Petrie, the Keeper of the Tower Records, says that his Records are already "very well arranged." Mr. Petrie's Ev., 350

The Commission did not inform Mr. Petrie of its operations. He says he cannot tell what have been the operations of the Commission upon the Tower Records, there being no communication made as to what the gentlemen have been employed upon. He cannot state what Mr. Stevenson has been employed upon. Mr. Petrie's Ev., 3502. Mr. Petrie's Ev., 3514.

Mr. Hardy says, "the arrangement of all the Miscellaneous Records at the "Tower is very good, both in classes and chronologically." Mr. Hardy's Ev., 3607–3611.

Mr. Stevenson is asked, "Have you been employed in arranging and "sorting the Miscellaneous Records?—No, I had not the power of doing so." Mr. Stevenson's Ev., 3780.

"Why?—I did not receive instructions to that effect." Mr. Stevenson's Ev., 3781, 3782.

The Secretary states "that none of the workmen employed in reparation of "Records are at present at the Tower." And the consequence is seen in the Evidence of Mr. Roberts, who has experienced impediments in an important work, the Calendarium Hæredum, on which he is employed by the present Commission, arising from the neglected and bad state of the Inquisitiones Post Mortem, which are stated to need repair. Mr. Cooper's Ev., 151. Mr. Roberts' Ev., 6965, et seq.

ROLLS CHAPEL.

At the Rolls Chapel, Your Committee finds the great bulk of the Records to have been kept, from a period commencing at least as far back as 1732, in good methodical order; but the Repository itself wholly unfit for the purposes of a Record Office, and the local arrangement of the Records inconvenient.

The Committee of 1732 reports, "The Records in the Chapel of the Rolls "are securely placed in wainscot presses, and methodically digested. Those "in the roof, though for the most part well digested, are exposed too much to the heat of the sun in the summer season, and to dampness in the winter." —(Reports of the House of Commons, vol. I. p. 446.)—Frequent representations have been made to the Commissioners of the unfitness of this Repository, by the Memorial of the Master of the Rolls in 1831, and by the Report of Sir Robert Inglis and Mr. Hallam in 1832. Lord Langdale thus describes their present state: "They did not appear to me in a situation in which Records "ought to be kept; they seemed, at least some of them, to be exposed to con- "siderable variations of temperature, which I understand to be injurious to "Records; and there are many of them in a situation of very inconvenient "access, a situation in which public Records ought not to be; placed in "closets or places, some of them at a great height, and others entirely dark. "There are a quantity of Records in closets so dark that you cannot see them "as you walk in; there are others in closets so high, and with so narrow a "footing for a ladder, that mounting to the top cannot be convenient, if quite "safe, which I should scarcely think it to be. Those who are perfectly "familiar with the dark closets may go in and perhaps pitch upon the Record "wanted; not always without error, I apprehend: but that is the way in "which they are preserved. I think it extremely inconvenient." Lord Langdale's Ev., 4483.

Lord Lyndhurst's Ev., 8192.

Lord Lyndhurst says: "I think the Rolls Chapel is a very bad place of "deposit. On a dark day you cannot see the Records without a candle; you "walk and climb through very narrow passages, and it often takes a consi- "derable time to find a Record; nothing can be more incommodious than that "place of deposit."

"On the ground floor," says the Report of Sir Robert Inglis and Mr. Hallam, "are the Patent Rolls, in a spot so dark that no one can see to read any one "there; and a candle is properly not allowed. They can be removed, there- "fore, only by guess matured into habit."—(Agenda, p. 283.)

Mr. Cooper's Ev., 230.

With respect to this office, the Secretary says, "there are no unarranged "Records; any Records asked for can be found."

Mr. Cooper's Ev., 282.

"There is no arrangement proceeding at the present moment."

Mr. Cooper's Ev., 288–289.

"Are there any Miscellaneous Records there not arranged?—As in other "large offices, there may be few of no moment."

"Then there is nothing now doing in the way of arrangement, because there is, in fact, nothing to do?—The repairs only are now prosecuting."

Mr. Cooper's Ev. 280.

"There are at present two workmen; formerly there was only one. There "is no room for more than two."

Your Committee cannot coincide with this opinion of the unimportance of these unarranged Records at the Rolls Chapel; nor can it think that sufficient progress is making in the repairing and cleaning of those which require these operations. The repairing and cleaning of the Inquisitiones Post Mortem alone (and this class of Records is for all legal and antiquarian purposes, the most constantly used) will not, at the present rate, be completed for eight years.

Mr. Cooper's Ev., 293.

At a Board held 23 June 1832, the Secretary made a "Statement as to the "necessity of sorting, cleaning and repairing the Privy Seals, Signed Bills, &c., "(in the roof), and Miscellaneous Records (in the lockers), at the Rolls "Chapel."—(Agenda, p. 3.)

"The Patent of the 3d of February 1498, granted by Henry VII. to Sebastian "Cabot, which is alleged to establish 'conclusively and for ever, that the "American Continent was first discovered by an expedition commissioned to "set up the banner of England,' was lately found amongst the confused heap "of Privy Seal Bills and Signed Bills, in the roof of the Rolls Chapel."—(Ibid.)

Mr. Cooper's Ev., 287.

The arrangement of the Privy Seals was commenced by the present Board; the Secretary could not state whether it had been completed. He quotes from a Report of Mr. Palmer, the Keeper of these Records, the following description of the state of this valuable class of Records, and of the progress the Commission has made in arranging them:

Mr. Cooper's Ev., 1027.

"The Privy Seal and Signed Bills are kept in large bundles; but as many of "the bundles contain several years mixed, with little regard to date, and some "few instruments were known not to be enrolled, an assortment of them was

Mr. Palmer's Ev.

"commenced, under the direction of the Board, with the view of ascertaining "what were not on the roll, and rendering the rest more accessible when "necessary to refer to them, and the 1st and 2d of Henry VII. had partly been "done."

Mr. Grimaldi's Ev., 6560.

Mr. Grimaldi says, "The Records are very well arranged as to the Rolls, but "very ill arranged as to the great mass of the miscellaneous documents." He gives the following description of the state of these miscellaneous Records:

Mr. Grimaldi's Ev., 6561.

"I wanted to search for one, and the clerk said it was such dirty work it was

"not

" not fit for any one but a coalheaver; they would not let me do it; but they " said they would put on some dirty clothes after office hours, and that it might " take them two or three days, and they would doubtless have to make heavy " charges for it."

And Mr. Hardy being thereupon asked his opinion, affirms that this state of the Records has remained to the present time unchanged. " A search lately " occupied me a long time, and I found the bundles in question in a most " filthy and disgraceful state, fully justifying the description of the last " witness." Mr. Hardy's Ev., 6632.

A practice exists in this office of pasting Records into volumes, and of detaching them by damping when required for use. Several Members of Your Committee witnessed an example of this practice, which appeared to be highly detrimental to the Records, inasmuch as it leads to their being torn and defaced. Mr. Palmer's Ev., 6252. Mr. Cooper's Ev., 324. 329. 1027. Mr. Cole's Ev., 4737.

The Address of the House of Commons, 1800, especially alluded to the buildings of the Exchequer as requiring immediate attention; and the Report of the Commissioners in 1819 (page 329) states, " They also think it incum- " bent on them to call the public attention once more to the inconvenient " and perilous state of the several buildings belonging to the Exchequer of " Receipt, so repeatedly but ineffectually brought under the notice of Parlia- " ment by Reports from Committees of the House of Commons, and from " Commissioners appointed under various Acts of Parliament." Exchequer Records.

The Records of the late Clerk of the Pipe and Lord Treasurer's Remembrancer of the Exchequer, are deposited in vaults two stories under ground at Somerset House, which are " ill lighted and worse ventilated; in fact, inaccessible except with candles."—(Report of Sir Robert Inglis and Mr. Hallam, 1832, Agenda, page 282.) Somerset House Exchequer Records.

A witness, a clerk of the office, was asked, " Is it not so completely dark " that it is almost impossible for any person to find his way out of the vaults " if at any considerable distance from the door?—Yes; for the frames on " which the Records are placed are in the centre; you are obliged to go round, " and it would be rather a circuitous route to get out; there would be some " difficulty." Mr. Panton's Ev., 7075.

The repository is one of the very worst the Secretary has ever seen, and " the Board was convinced of the utter unfitness of the vaults for the purposes " to which they were applied; but the Records still remain in the same re- " pository." Mr. Cooper's 154. 1144. Mr. Cooper's Ev., 1146.

Mr. Illingworth complains of alternate dampness and dryness, and found the Pipe Rolls exceedingly damp.—(Agenda, p. 19.) Mr. Illingworth's Ev., 946, 947.

" The vaults are very damp and unwholesome, and I should think dangerous " to health." Mr. Hardy's Ev., 3644.

Members of Your Committee observed various mineral formations in these vaults; stalagmites and stalactites, noticed by the Commissioners in 1832.—(Agenda, p. 182.)

In the Report of the same Commissioners it is stated " Immediately on entering " we perceived about 12 sacks full of Records lying on the floor."

Mr. Panton was employed about 12 months, either in arranging or repairing. Mr. Cooper's Ev., 157, 158. 172, 173.

When his labours were suspended, the impression on the mind of the Secretary was, that the work of arranging and sorting was completed as far as was requisite. The Secretary was asked "Why was the arrangement of the Records "at the Pipe Office suspended?—I believe because the work is completed as "far as can be, with regard to all valuable Records."

Mr. Cooper's Ev., 168. 1151; and Mr. Vincent's Ev., 1699.

Mr. Hardy says "The difficulty of finding Records there is very great; in "searching I have frequently experienced great delays."

Mr. Hardy's Ev., 3644.

Mr. Panton, the Clerk of the Pipe Office, says, "If no date is given of a "Record (other than the Pipe Rolls), it would be very difficult to find it."

Mr. Panton's Ev., 7083–7078. 7095. 7103, 7104.

Again he specifies the Crown Leases as "wholly unarranged," and says "that it would be advantageous to the public to arrange them as searches are "made for them."

Mr. Panton's Ev., 7099. 7101. Mr. Cole's Ev., 4432.

Certain Miscellaneous Records of the Lord Treasurer's Remembrancer's Office needed arrangement in 1800, and are stated to require it at the present time.

Mr. Vincent's Ev., 1706.

In the Lord Treasurer's Remembrancer's Office, the Evidence of Mr. Vincent and Mr. Foxton represents the greater part as in good arrangement. Mr. Illingworth, however, stated that there were in this Office "bags of "very important Records unsorted;" and he mentioned a remarkable instance of difficulty in finding a document of most essential importance in a great suit at law respecting the Port of Bristol.

Mr. Illingworth's Ev., 939, et seq.

The Records of the King's Remembrancer's Office have been subjected to a continual series of accidents since the institution of the Commission. The Commission commenced in 1801, and continued the work of arrangement in the King's Remembrancer's Office for about a year, when it was suspended; and Mr. Vanderzee was employed to edit the Nonæ Rolls. Whatever work of arrangement was performed during this year was completely thrown into confusion by the removal of the Records in 1822. At page 72 of the proceedings "of the Record Commissioners, 'It is much to be regretted that Mr. Caley "should not have suggested to the Board the necessity of making such "arrangements, in concert with some of the gentlemen of the King's Remembrancer's Office, as would have ensured the safe transport of the Records "across the Hall. It has been long rumoured that upon this occasion large "quantities of parchments were purloined by the labourers employed, and sold "to the glue manufacturers.' I can myself certify that statement to be "true, for I made some inquiry of the builder employed to take down the "old buildings adjoining Westminster Hall, and he informed me that he himself, at one period, possessed a very considerable collection of seals, charters "and other documents found in the old building."

Mr. Cooper's Summary, Appx. (B.)

Mr. Cole's Ev., 4432.

Mr. Cole's Ev., 4435.

"Subsequently in 1831, I believe great care was taken by Mr. Vincent, that "the Records should not be damaged by the removal to Charing Cross. Mr. "Vincent himself states (Proceedings of the Board, p. 72), 'that some Papers "and Records have been injured and lost by the removal in 1822, as that "removal took place under circumstances very unfavourable to security and "accuracy, the Records having been removed without the presence or superintendence of any Officer of the Court, but were sent to the shed or building "erected in Westminster Hall, and carried, some in sacks and others in "the hands and on the shoulders of labourers, without order or method, and "free from any check whatever.' Amongst other accidents it happened, that "the very Records arranged and published by the Commissioners in 1801, "namely,

Mr. Cole's Ev., 4437.

" namely, the Nonæ Rolls, and the Inquisitiones Nonarum, were actually dis-
" persed upon this removal: thus the Records which had once been arranged
" and printed at the public expense, were thrown again into confusion."

" Did the Record Commission superintend in any manner the removal of those Mr. Cole's Ev., 4444.
" Records which they had been thus at the expense and trouble of arranging;
" I mean the removal from the old Record Offices to the shed in Westminster
" Hall?—Certainly not; there was not the slightest interference on the part
" of anybody in authority; the only persons who removed them were the
" soldiers and labourers, who performed the actual labour." " During the Mr. Cole's Ev., 4453.
" period that those Records were in the shed, and in the building pre-
" viously to being removed to the shed, in what state were they with regard to
" their preservation?—I should conceive extremely bad. I cannot do better
" than adopt Mr. Vincent's statement, that upon his appointment to his office
" in 1833, 'I found that the Books and Records of the Exchequer, instead of
" being collected in one solid, substantial, dry and well-watched building,
" commodious for reference, hourly accessible (within certain limits of time) to
" the public, subject to the control and guardianship of one responsible official
" individual, who might make himself master of their character and tenden-
" cies, and take measures both for their safety and utility, were scattered in
" various places and various custodies, at various distances, and with various
" pretensions: some were kept by the first Secondary, some by the second,
" some by the King's Remembrancer himself at his chambers; some were
" supposed to be in the keeping of individuals; some to be missing altogether;
" some were at Westminster; some in the Temple; most in places exceedingly
" ill-adapted for their preservation and security, and inaccessible for the most
" part to the public, without great trouble, difficulty and expense. I found
" that by far the largest portion of them had, in 1822, been moved from build-
" ings which were to be removed to facilitate the Court of Law, without order,
" without specific authority, without superintendence or care, without any
" official cognizance that I have been able to trace, or any provision for the
" service being vigilantly or even honestly performed, into a flimsy erection of
" deal boards in Westminster Hall, destitute of space or power of arrangement,
" and at the time of my first visit to it, dark, damp, and almost pestilential.'"

STONE TOWER.

" Mr. Protheroe, a Commissioner, says, in Agenda, page 367, 'In two cells Mr. Cole's Ev., 4456.
" on the ground floor in the western tower of Westminster Hall are a mass of
" Records, the nature of which is but partially known; they are only to be
" seen by a small portion of light let in by a lancet window, and that is
" unglazed, and admits a larger portion of dirt. These Records are literally
" covered with filth.' Those Records, although they have been superficially,
" I think I may say, examined since the period of Mr. Protheroe's report, are
" still exposed to the same accidents."

" Are they still in the same building?—Yes." Mr. Cole's Ev., 4457.

" Now the dirt is not merely excessively inconvenient to the person who Mr. Cole's Ev., 4458.
" has to take up the Records, but its existence is prejudicial to the state of the
" Records?—In the highest degree."

" In fact, it destroys them?—Yes, no doubt of it. Those Records, more- Mr. Cole's Ev., 4459.
" over, are in such a bad locality, that they are not ever resorted to, I
" believe."

Members of Your Committee, who inspected these Records, found the dry-rot among them.

Mr. Cole's Ev. 4460.

" What are those Records?—Mr. Vincent says, 'the nature of which none " can tell.' "

CARLTON RIDING-SCHOOL.

The Records, being in the custody of Mr. Vincent, were removed from the shed in Westminster Hall in 1831 with great care to the Mews at Charing-Cross, where they remained until 1835, and were again removed to the Carlton Riding-school. The Secretary says, " The migrations of these Records have " cost what would have sufficed to erect an excellent General Record Office."

Mr. Cooper's Ev., 1231.

Mr. Cole's Ev., 4472.

Whilst in the Mews, " a great portion of the Records, the Decrees and " Orders of the Court of Exchequer, and the Memoranda Rolls, were perfectly " accessible; but the Miscellaneous Records, which comprehended 5,000 " bushels, were not arranged in any way."

Mr. Cole's Ev., 4472.

" They were, a few sacks excepted, in two enormous sheds; they filled " above 600 sacks, each sack holding eight bushels, when I caused the con- " tents of the sheds to be placed in sacks."

Mr. Cole's Ev., 4590.

" In these sheds, 4,136 cubic feet of national Records were deposited in " the most neglected condition. Besides the accumulated dust of centuries, " all, when these operations commenced, were found to be very damp; some " were in a state of inseparable adhesion to the stone walls; there were " numerous fragments which had only just escaped entire consumption by " vermin, and many were in the last stage of putrefaction. Decay and damp " had rendered a large quantity so fragile as hardly to admit of being touched; " others, particularly those in the form of rolls, were so coagulated together that " they could not be uncoiled. Six or seven perfect skeletons of rats were " found imbedded, and bones of these vermin were generally distributed " throughout the mass; and besides furnishing a charnel-house for the dead, " during the first removal of these national Records, a dog was employed in " hunting the live rats which were thus disturbed from their nests."

The state of these Records whilst in the Mews was also reported in the survey of the Commissioners in 1832 (Agenda, p. 281); they added, " The " terms of our appointment do not require us to suggest to the Board any " measures as to the expediency of examining and sorting and preserving the " miscellaneous collections in this Office; but having by their desire had occasion, " however cursorily, to inspect them, we should scarcely do justice to the objects " of the Board, if we did not add, that in this department many legal documents " (we notice, special commissions for examination of lands, of ports, forests, " rivers, titles, bounds and limits,) are in bad condition; many, the existence " of which is presumed to be in the repository, cannot be produced when " required, and are only recovered by accident. For instance, a special com- " mission in reference to West Harptree (Somerset), which was for five years " sought in vain, was last year discovered by accident in the removal of the " mass. A special commission for Portsmouth Harbour has to this day been " sought in vain, though it is known to exist, or rather to have existed in the " Office; since, of all such as have at any time existed there, a regular " catalogue is kept up."

" The present Commission began an arrangement of the Miscellaneous " Records in the summer of 1832, but nothing satisfactory was done."—(Agenda, p. 250.) It was again resumed in the spring of 1833, " under the " direction of the Secretary." " During the winter months the Records were " removed to Boswell-court, where they remained in the custody of Robert " Thompson, Esq., one of the side clerks of the King's Remembrancer's Office."

(Agenda,

(Agenda, p. 448.) The keeper, Mr. Vincent, states, that he was "uninformed "of this removal;" "that it took place without his sanction;" and "that the "Secretary, in stating Mr. Thompson to have had his (Mr. Vincent's) "sanction, was under a complete mistake." About this period the Miscellaneous Records, now deposited in sacks in Carlton Riding-School, were transferred to the temporary custody of the Commission, at the recommendation of Mr. Vincent, and the whole management of the arrangement was confided to Mr. Cole. The work has been lately transferred to the care of Charles Gay, who also conducts the arrangement of the Augmentation Office Records, and whom the Secretary represented as perfectly competent to superintend the business of arrangement; but whom all the Witnesses who spoke to the point described as merely a good, industrious, honest and skilful workman, but wholly unqualified by education to superintend a systematic arrangement.

Mr. Vincent's Ev. 1728, 1729.

Mr. Vincent's Ev., 1727.

Mr. Vincent's Ev., 1730.

Mr Cooper's Ev., 1190, et seq.

Ev. of Messrs. Protheroe, Hewlett, Illingworth, Hardy.

Incessant representations appear to have been made during the past century, of the state of insecurity in which the Chapter House has been placed by certain contiguous out-buildings. In the Commissioners' publication, "The "Proposal for a General Record Repository," in 1831, p. 31, "It is remarkable that the Chapter House, the repository of many precious Records, was "also at that time, 1732, in an insecure state, and that there has been similar "neglect in applying a remedy. The vaults underneath are said to be filled "with spirituous liquors, and brewhouses or washhouses adjoining have lately "been erected." (*See* Reports from Committee of the House of Commons; "*see* also p. 509 of the same Report.) The brewhouses and washhouses "engaged the notice of the Record Board in 1819. By their second General "Report the Commissioners stated, that "upon inquiry they find that the "repairs and alterations which are necessary for the security of the Chapter "House, Westminster, have been for some time under the consideration of the "Surveyor-general of His Majesty's Works, and it is to be hoped that their "execution will not be much longer delayed. The dangerous buildings "in question still exist, but some recent attempts have been made to "effect their removal, which may perhaps be attended with more success; "this is, however, at present problematical. And at a Board of the 10th "June 1831, Mr. Wynn read the following Report (Papers, General Record "Office, p. 7.):" "Repeated representations have been made by the "Record Commission of the hazard of fire to which the Chapter House is "exposed by a Shed erected against it, and used as a washhouse to one of the "Prebendal Houses. Upon the present inspection we were still more forcibly "impressed with the magnitude of the danger, not only from this building, but "from others adjoining to it, in any of which if a fire should commence, it "would, from the confined situation of the premises, be scarcely possible to "prevent it from spreading to the Chapter House."

CHAPTER HOUSE.

"A great many of the Records are unarranged." "Some are in a bad state." Mr. Cooper's Ev., 1173. 1182.

Sir Francis Palgrave, the keeper of the Chapter House, produced a mass of Records to the Members of Your Committee who visited this Repository, in a state of actual fusion. In their present state, he says "The great majority can "neither be preserved, nor arranged, nor even consulted." Sir F. Palgrave's Ev, 4344.

The arrangement is carrying on "partly by the labour of the ancient Clerks "of the establishment, who are paid both by the Treasury and the Board, and "partly by Clerks employed by the Board; the Clerks of the establishment are "paid Mr. Cooper's Ev., 1174.

" paid by the Commission only for services performed during extra hours; " this system is found to work well."

The expenses of repairs and arrangement are borne not by the Commission but by the Treasury.

Sir F. Palgrave's Ev., 4341.

" The Commission has not allowed anything for the work of arrangement, " as such, but they have made an arrangement by which a Clerk is allowed an " extra sum for extra hours."

The Treasury or Stationery Office agreed to allow 200 *l.* per annum for the Repairs.

Sir F. Palgrave's Ev., 4344.

Sir Francis Palgrave states in his Report to the Treasury, 9th March 1836, " As far as I can make an estimate from the expense hitherto incurred, I should " think that it will require at least 7,000 *l.* more to bind, clean and repair, the " remaining documents belonging to the five classes already begun. Of the " large sums which have been voted to the Record Commission for binding, " not above 400 *l.*, if so much, has been appropriated to this Office, from the " beginning of the Commission to the present time. Sir Francis Palgrave afterwards adds, " that a further sum of 7,000 *l.* will be required for completing the " repairs and binding of the other Records in this Office," which he thinks ought to be proceeded with.

Augmentation Office.

Mr. Protheroe reported to the Board in 1833, (Agenda p. 365), that the rooms of the Augmentation Office " are surrounded with fires; (on one side " are the kitchen fires of Bellamy); and although sufficiently airy and spa- " cious, they must be reported as unadapted for Records, and insecure. To " the doors there are only common locks, and no one dwells on the premises " who has the care, or any interest in the preservation, of the Records; thus " in case of fire, it appears to me that these would be the very last things " which any one would think of securing."

Mr. Protheroe's Ev., 1372, et seq. Mr. Cole's Ev., 4690, 4691. Appx. (B.), Summary.

The danger in which the Office was placed by the burning of the Houses of Parliament, appears fully substantiated in the Evidence of Mr. Protheroe and of Mr. Cole.

This Office seems to have been under the peculiar charge of the Commission for several years; a greater portion of its funds having been employed in arrangement there than in any other Office.

The Commission entrusted the arrangement of the Records to its late Secretary, Mr. Caley, who was also Keeper of the Office.

Mr. Cooper's Ev., 422.

Mr. Protheroe thus describes the condition in which he found the Office in 1833: " These rooms had long been in a filthy state; it is possible that when " the operation of cleansing the Records commenced, the rooms may have " been so encumbered as to render order and neatness scarcely attainable; but " it has long been unnecessary to leave the Records on the floor, or to permit " the workmen to tread them under foot when engaged in picking out those " which might merit repair; and it was slovenly to leave heaps of dirt in the " chimnies, to be blown over the bound books and cleansed Records every time " the doors were opened." He says " it was as dirty as a chimney-sweeper's " room, and that the operations were conducted in a very drowsy and filthy " manner."

Mr. Protheroe's Ev., 1350, 1351.

Mr. Hewlett's Ev., 778.

Mr. Hewlett says, " It was very far from a clean and creditable state; dirty " and dark, and anything but what it should be for a place of resort for the " purposes of searching. The Records were not arranged chronologically, but " were in disorder, yet with the help of Gay you generally got the document

" you

" you wanted. The arrangement was not good either chronologically or " topographically." Mr. Hewlett's Ev., 792. 794.

Mr. Illingworth calls the office " very dirty; there was no regular arrange- " ment, and half an hour was occupied when five minutes would have done as " well, and searches were thereby impeded. Mr. Illingworth's Ev. 973. Ibid. 980.

Mr. Hardy says, " The Records in the Augmentation Office were in nearly " as bad a state as they could be." Mr. Hardy's Ev., 3635.

Numerous and ample examples of the system of arrangement pursued by Mr. Caley have been produced to Your Committee. Mr. Cole's Ev., 4833, et seq.

Members of Your Committee also inspected the Conventual Leases, from which Mr. Caley had cut the seals. On Mr. Caley's death the Commission took possession of the office, and it appears that the possession of it was a subject of constant dispute between the Board and the King's Remembrancer. Mr. Cole acted as keeper of this office. Upon that gentleman's dismissal by Mr. Cooper, in consequence of some personal difference between them, Mr. Cole, having possession of the keys of the office, carried them to the Treasury. Mr. Cooper's Ev. 515. The Secretary " did not apply to the Treasury or to any person on behalf of the " Commission for them; and the Treasury put Mr. Vincent in possession of the " Office as the legal custos." Ibid. 519, 520. Mr. Vincent's Ev., 1693.

It appears from the evidence of Mr. Hewlett, Mr. Protheroe, and Mr. Hardy, that during Mr. Cole's keepership of the office great improvements and changes were effected in all its branches. Mr. Hewlett's Ev., 771, 801, 802. Mr. Protheroe's Ev., 1362, 3, 4, 5. Mr. Hardy's Ev., 3636.

Your Committee has reason to think that the business of arrangement, so requisite in this Office, has either been wholly suspended in consequence of the removal of Mr. Cole, or, if proceeding, is not proceeding in a satisfactory manner.

Duchy of Lancaster.

The Records of the Duchy of Lancaster Office are deposited in a building of which part is used as a private dwelling-house, and consequently exposed to accidents by fire. Some operations of repairing and binding have been conducted here, but they have been discontinued, " as it has not been con- " sidered expedient to do more than has been done." Mr. Cooper's Ev., 398, 399, 400. Ibid. 391. Ibid. 409.

The Keeper of the Records, Mr. Danvers, states, that further arrangement is going on; not, however, under the management of the Commission, but under that of the Duchy. Mr. Danvers' Ev., 7206, et seq.

Pell Office.

The Secretary says, " The Committee may form some notion of the state of " confusion in which the Records of the Pell Office were before the recent " removal, when I state that alongside an Issue Roll of John, I found Lord " Denman's Patent of Peerage." Mr. Cooper's Ev., 1255.

The arrangement of the Pell Office has been proceeding under the superintendence of Mr. F. Devon, who is Clerk at the Chapter House from nine till one, and at the Duchy of Cornwall Office from one till four; and he has also been engaged during the progress of the arrangement in editing two volumes of the Pell Records, and employed by the Commission, during extra hours, in making " Transcripts of Calendars in the evening." Parliamentary Return of January 1836.

Mr. Devon is employed by Sir John Newport, and paid by the Treasury for his labours on these Records; he conducts the arrangement during such time as he is released from the above-named duties. It is calculated it will occupy altogether four years. Mr. Eden's Ev., 7290.

The Commission has one workman for repairing the Records here. Mr. Cooper's Ev., 1243.

KING'S BENCH.

Mr. Eden's Ev., 7288.

"With reference," says the Secretary, "to the Records of the King's Bench "Office, nothing has been done, except a transfer of Records from the present

Mr. Cooper's Ev., 253.

"Rolls Court at Westminster to the Rolls House, Chancery-lane; and the "demand of a Return to the circular questions of the Board. I am not aware "that anything more was possible or requisite."

This removal appears to have taken place under the sanction of the Commission.—(*Vide* Printed Correspondence, in pp. 13, 14, 15, 16, Papers, General Record Office.)

Lord Kenyon informed the Secretary (p. 18, ibid.) "that the Records have "been most carefully preserved for a long series of years, in a room admirably "adapted for that purpose, and very conveniently situated for the suitors of the "Court of King's Bench, and the public at large."

And in another letter to Lord Brougham (p. 17), Lord Kenyon says, "I feel "persuaded that your Lordship will take care to preserve for the benefit of the "suitors of the King's Bench especially, and of the public at large, that accommodation and convenience which they have possessed for very many years, "from the Records being safely and conveniently kept at Westminster."

It therefore appears to Your Committee that these Records have been removed with the knowledge and at the suggestion of the Commission to an unsuitable repository.

The Rolls House, to which they have been transferred, is, in fact, almost incapable of supporting the weight of the Records.

Mr. Cole's Ev., 7907.

The Report of the Commissioners in 1833 (Agenda, p. 283), states, "In two "rooms are heaps of unsorted papers, which still remain in the same disorder."

Mr. Cooper's Ev., 1773–4.

Ibid. 1775.

Ibid. 1782.

The Secretary says, the King's Bench Records are "in a good state," and "believes them to be well arranged." "Does not recollect to have seen the "unsorted papers;" and that "there are no Records whatever in any of the "Offices attached to the King's Bench that, in my judgment, require the interference of the Board."

Lord Lyndhurst's Ev., 8205.

Lord Lyndhurst says, the Records of the King's Bench "were in a state of "considerable confusion."

FIRST FRUITS.

The Second Report of the Commissioners, in 1819 (p. 329), represents the "insecure state of the Office of the First Fruits, which should be remedied "without delay, on account of the valuable Ecclesiastical Records" which it contains.

Mr. Gunthorpe's Ev., 7253, et seq.

The Records remain in the same repository, which was visited by Members of Your Committee. The sworn Clerk of the Office speaks of a quantity of unsorted Records not belonging to his Office; but which were carried there from the King's Mews by mistake, and which still lie there.

Ibid. 7259.

The arrangement of the Records belonging to the Office is said to be good, but the Commission has given no assistance in arranging them. Indeed the Commission has received no Return from this Office.

DUCHY OF CORNWALL.

Mr. Cooper's Ev., 1836.

Ibid. 1845.

Mr. Abbot's Ev., 2967.

"The assistance of the Commission has not been needed in the Duchy of "Cornwall, and they have not found it necessary to make any interference." The Records are kept in a private house given to Mr. Abbot.

On

On the Law side of the Exchequer, the Records are kept at No. 9, Old Square, Lincoln's Inn (Agenda, p. 284). "Nothing can be wanting at the Exchequer of "Pleas; I doubt very much whether any measures are wanting in this and "many other similar Offices, to render the Records more useful. It is pro- "bable that the oldest Officers cannot recollect a search in any Records of this "Office of ancient date. Mr. Baron Parke is one of the Record Commis- "sioners, and he has never suggested that the attention of the Board ought to "be directed to any such Office as the Exchequer Pleas."

EXCHEQUER LAW SIDE.
Mr. Cooper's Ev., 257
Mr. Cooper's Ev., 1822.

Mr. Hewlett "occasionally consults the Records of this Office," and says, the "bundles of the Verdict Rolls of this Court are in great confusion indeed. "The Verdict Rolls of Elizabeth intermixed with those of Henry the Fourth. "The reigns are mixed indiscriminately."

Mr. Hewlett's Ev., 611.
Ibid, 625.
Ibid. 626.

COMMON PLEAS.

The Common Pleas Records are deposited in Carlton Ride, "Very far from "being a convenient and accessible building. These Records have been in "temporary buildings for 10 years. They are limited for room, and the classi- "fication is not so perfect and entire as it would be if they were supposed to "be permanently placed." "The Docket Rolls are dry, but in an exceedingly "dusty and dirty state, filthy, and I may say unfit to touch." "Part of them "were carried by mistake to the First Fruits Office, and still remain there "unsorted."

Mr. Hewlett's Ev., 584.
Ibid. 586.
Ibid. 587.
Ibid. 598.
Mr. Gunthorpe's Ev., 7256.

LAND REVENUE.

"The Records of the Land Revenue were in a tolerable state of arrange- "ment, and were to be referred to, although not very minutely classified. "They were in the long gallery in Westminster Hall before that building was "pulled down, and then they were removed to the shed in Westminster Hall, "where they were kept for some time, mixed with other Records, and the "arrangement entirely gone." "How are they now?—They are just in the "same state, mixed up with the King's Remembrancer's Records, and totally "inaccessible; although there is a general Calendar to them, there is no pos- "sibility of getting at them." "In fact, you know this, that at the period when "the Commission for the preservation and arrangement of those Records was "first established, those Records were in a very good condition, and were "arranged; and that now they are in an exceedingly bad condition, and "exceedingly ill arranged?—Those Records are perfectly inaccessible; but "there are other Records of this Office in very good condition, kept by the "Officer in his own place of business."

Mr. Hewlett's Ev., 823.
Ibid. 824.
Mr. Hewlett's Ev., 825.

WELCH AUDITORS.

The Welch Auditor's Office is incorporated with the last-mentioned Office, the Land Revenue. The present Keeper, Mr. Fearnside, corroborates the statement of the past good order, and of the present necessity for arrangement. "In fact," says he, "the greater part of the labour of the Commission in 1800, "has been entirely nullified by the conduct since, by the removal of them, and "placing them in different positions since that period when they were arranged "and got into some order; since then, in taking them into the Ark, the Mews "and the Ride, they have been disarranged."

Mr. Cooper's Ev., 256.
Mr. Fearnside's Ev., 7139.

II.—CALENDARS AND INDEXES.

THE object specified in His Majesty's Commissions, next to that of arrange- ment, and only second thereto in importance, is the compilation and publication of Calendars and Indexes. The Select Committee of 1800

recommended that "the Public Indexes and Calendars should be completed "forthwith, either by the ordinary diligence of the persons usually employed "for the purpose in each Office, or, if necessary, by extra assistance, provided "at public expense; namely, by an express Commission for methodizing the "contents of the particular Offices, as was practised during the present reign "(Geo. III.) for methodizing the State Paper Office and Augmentation Office. "And also that those Calendars and Indexes, which are the private property "of the Officer, should be purchased for the public use, and appropriated to "the Office. And that the most essential of all measures recommended by "them for the purpose of laying open to the public a full knowledge of the "contents of our various and extensive Record Repositories, would be unques-"tionably to print some of the principal Calendars and Indexes."—(Reports from the Select Committee on the Public Records, p. 12.)

Other Committees of the House of Commons in the previous century had recommended similar measures. The Select Committee of 1800 specified numerous Calendars and Indexes which it was advisable to print. The late Commissions followed the recommendation, by printing the Cottonian, Harleian and Lansdowne Catalogues, the Indexes to Doomsday, and the imperfect Calendars to the Patent and Charter Rolls, the Inquisitiones Post Mortem, and the Chancery Proceedings. What the late and present Commission have effected, and what remains to be effected in this important object, will be seen in detail in the Evidence submitted to Your Committee.

The deficiency of Calendars and Indexes is a necessary consequence of a defective arrangement of the Records themselves; but it appears that even where the Records are well arranged, Calendars are wanting, or are very insufficient. This is the case at the Tower.

TOWER.

At p. 8 of the Agenda, a notice appears in 1832, of the "appointment of a "Committee to inquire into the state of the Calendars and Indexes to the "Records in this Repository, and into the best means of correcting and "filling up those which are defective and erroneous; and of making Calendars "or Indexes to such Records as are at present uncalendared or unindexed." "Lest, however, (states the Agenda,) the account of what, in spite of the "exertions of 30 years, still remains undone in this department, should alarm "the Board by a sudden representation of the toil that awaits them, it is "proposed for the present to limit the inquiry to the Calendars and Indexes "of an Office, the Records of which are generally considered to be better "arranged and more accessible than those of any other repository in the "metropolis."

Mr. Cooper's Ev., 1077.

Ibid. 1081.

Ibid. 1755.

Mr. Hardy's Ev., 3524.

It appears from the Evidence that these considerations effectually checked the operations of the Commission at the Tower; and "a rough estimate of the expense" convinced the Secretary that it "was useless for the Board to "attempt to form Calendars and Indexes to the Records, even in the principal "offices;" "and the Commissioners finding that far more than double or "treble the number of clerks employed at the Tower establishment being "required to complete the calendaring of the Records of the Tower in any "reasonable and competent time, left the formation of the Calendar of the "long series of the Rolls to the ordinary diligence of the gentlemen belonging "to the Tower establishment," and somewhat inconsistently recommended that the establishment should be diminished by the abolition of the chief clerkship."—(*Vide* Summary.)

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The Secretary stated to Your Committee that 100,000 *l.* would be required to complete the Calendars at the Tower; and afterwards, having thought it "expedient that the Committee should be put in possession of some more "accurate estimate, he desired Mr. Stevenson to calculate what would be the "cost of perfecting the calendars of all the Records preserved in the Tower;" "and it appeared that the formation of Calendars would cost the sum of "366,000 *l.*" Mr. Cooper's Ev., 1755. Ibid. 1076. Ibid. 1755.

Mr. Stevenson, in explaining how far he was responsible for this calculation, says, "he told Mr. Cooper that the result carried with it proof of its "absurdity, and that it was obviously of no use, and that the data on which "it was made was incorrect." Mr. Stevenson's Ev., 3804, 3805. et seq.

Mr. Hardy produced a very elaborate estimate of the expense of forming Calendars at the Tower, which amounts to 25,367 *l.* Mr. Hardy's Ev., 3619.

Mr. Stevenson adds, "I beg it to be distinctly understood that my calcula- "tion is one which cannot and ought not to be placed in competition with "Mr. Hardy's; and I am under the necessity of avowing that I am now "perfectly aware he is right, and that I am wrong." Mr. Stevenson's Ev., 3804.

"No Calendars have been made of the Records at the Tower by the present "Commissioners, except to the Miscellaneous unsorted Records;" and it appears that the Secretary was very imperfectly acquainted with the work carried on in this Office under the nominal superintendence of the Board. Mr. Couper's Ev., 1072–3.

ROLLS CHAPEL.

"The Calendars and Indexes belonging to the public at the Rolls Chapel "are very defective." Mr. Cooper's Ev., 330, 331.

"There are good private Indexes, which the Board has endeavoured to "obtain for the public, but they have not been purchased." Ibid. 333. 370. Mr. Hardy's Ev., 3629.

In the Evidence of Messrs. Hewlett, Hodgson, Grimaldi and Hardy, the imperfections of the Calendars in this Office are explained, and striking illustrations given of the evils resulting therefrom.

DUCHY OF LANCASTER.

All the work of Calendaring and Indexing has been done at the Duchy of Lancaster without the aid of the Commission. Mr. Cooper's Ev., 402.

AUGMENTATION OFFICE.

The Calendars are not good at the Augmentation Office. New Calendars were in course of preparation at the time Mr. Cole was discharged, and have since been discontinued. Mr. Cooper's Ev., 447.

PIPE.

Nothing has been done by the present Commission in the way of making Calendars to the Pipe Records. Mr. Cooper's Ev., 1159. 1157.

Mr. Panton says, "There are no Calendars or Indexes at all." Mr. Panton's Ev., 7080. 7085.

CHAPTER HOUSE.

The Secretary "apprehends there are not sufficient Calendars and Indexes "at the Chapter House." It does not appear that the Commission has provided a sufficient supply: but Sir Francis Palgrave states that some important catalogues are in preparation, under his direction, and will be completed in the course of the year. He has printed, "by the special recom- "mendation of the Commissioners, the ancient Calendars and Inventories of "the documents in the Chapter House," which, he states, are curious and useful, but "not applicable to the present arrangement of the Records there." Mr. Cooper's Ev., 1179. Sir F. Palgrave's Ev., 4329, 4333. Mr. Cooper's Ev., 2740–1 Sir F. Palgrave's Ev., 4331–2. Mr. Grimaldi's Ev., 6544. 6578–6580.

KING'S REMEMBRANCER.

"Mr. Cole commenced a Calendar of the Miscellaneous Records of the "King's Remembrancer's Office." These are also discontinued since Mr. Cole's removal.

Mr. Cooper's Ev., 1217.
Mr. Stevenson' Ev., 3820–25.—Mr. Hardy's Ev., 3648.—Mr. Cooper's Ev., 2746.

PELL.

"There are neither Calendars nor Indexes at the Pell Office." Mr. Devon is stated to be making a catalogue.

Mr. Cooper's Ev., 1249, 1250.

KING'S BENCH, COMMON PLEAS, AND EXCHEQUER OF PLEAS.

From the minute Evidence of Mr. Hewlett, who possesses a great degree of practical knowledge on these matters, the only Calendars or Indexes to the important Records in the Offices of the King's Bench, the Common Pleas, and the Exchequer of Pleas, (Records constantly consulted, and of great importance for legal proceedings,) appear to be the incomplete series of Docquet Books, which contain little of the information which should be given, and hardly any clue is consequently possessed by the inquirer who wishes to know the contents of these Records.

Mr. Cooper's Ev., 1822.

In the Secretary's judgment, "it would be to throw money into the river to "make Calendars or Indexes to the Records of the Exchequer of Pleas."

LORD TREASURER'S REMEMBRANCER'S OFFICE.

In the Lord Treasurer's Remembrancer's Office, the keeper tells Your Committee that he had a perfect Index; by which he appears to have meant that he knew what Rolls were missing.

DUCHY OF CORNWALL OFFICE.

The Secretary informed the Committee that there are no private Calendars or Indexes in the Duchy of Cornwall Office.

It appears from the Evidence of Messrs. Abbot and Cole, that all the Calendars in that office are private, and are not shown to the public.

The preceding Evidence shows that the present Commission has not completed a single Calendar or Index to the contents of any public repository, and has not commenced any Calendars in most of the public repositories, to which alone the attention of the Commissioners is directed by the address of the House of Commons and the Commission. The Commission has prepared certain catalogues, the value of which Your Committee has no means of estimating; and they do not appear to have come properly within the province of the Commission. It has procured, amongst others of a similar character, a copy of a Catalogue of the MSS. and State Papers belonging to the Marquis of Salisbury, at Hatfield House. A minute Catalogue of the MSS. of Sir Matthew Hale, Selden, and Mr. Serjeant Maynard, in Lincoln's Inn Library, which a Return states "are very little known, chiefly owing to the restrictions which the learned "Judge imposed upon the Society in respect of the use of them."

"A similar Catalogue of the remaining MSS. in the same library (271 "volumes), many of which are only modern reports, or notes of cases, but "amongst them are many volumes of great curiosity and value."

Accounts and Catalogues of the MSS. in the several libraries at the Universities of Oxford and Cambridge, and of 161 volumes of Transcripts of Mr. Dodsworth, in the Bodleian Library.

A copy of a Catalogue of Documents from the year 790 to the close of the 15th century, preserved in the Archives of France.—Hotel Soubise, Paris, 8vo.

A list of MSS. and Documents connected with British History and Literature, in the Libraries and Archives of Germany.—Switzerland, 8vo.

Some steps appear at different times to have been contemplated by the Commission, with respect to the purchase of the private Calendars to the Records

Records in the public Offices; but no evidence has been given to Your Committee that a single Calendar has ever been purchased by the Commission; and since its existence, Calendars of the contents of one of the most important Offices, the Augmentation Office, made by persons in the employ of the public, and in that public capacity possessing the custody of those Records, have passed by public sale into the hands of private individuals, and been thus lost to the public. Relying too much on the judgment of the Keepers of the Records, the old Commission printed Calendars to some Records in the Tower, so defective, that as appears from the copy of the most perfect of them, which is daily used in the Tower, and which was produced before Your Committee by Mr. Hardy, half the requisite information had been omitted or inaccurately given; and while Catalogues had been prepared to the documents contained in private and in foreign Libraries, possessing no legal value and no greater historical value, the Commission has done hardly anything in the way of supplying those Calendars and Indexes which are absolutely requisite to render the contents of our public Record Offices available to the public.

Mr. Cole's Ev., 4677 et seq.

III.—TRANSFERS.

Although this is a subject which appears to have occupied a large portion of the attention of the first Commission, no powers seem to have been given to the Commission of making transfers of Records from one Record Office to another. It appears that a short time ago, a claim was made on the part of the Duchy of Cornwall, for certain documents relating to that Duchy, which had some how or another found their way into the Augmentation Office, and remained there for a considerable period. It appears that at first the Secretary was desirous of making the transfer at the request of the Duchy; but in the course of a long correspondence (printed in the Appendix) and discussion which took place on the subject, it was ascertained that the Commission possessed no power to carry this purpose into effect; and the Secretary subsequently declared that from information elicited before Your Committee, he had come to a conviction that it would not have been proper to transfer these documents from a public Record Office, in which they were perfectly accessible to all inquirers, to one in which they might have been considered the private property of the Duchy, and withheld at the pleasure of the Office from persons, the establishment of whose rights in litigation against the Duchy, might depend on the production of these documents.

Mr. Cooper's Ev., 1026. 1849, 50, 51. Mr. Abbot's Ev., 3010, et seq.

Mr. Cooper's Ev. 8109.

IV.—ESTABLISHMENT OF OFFICES.

The first Report of the Commissioners in 1812 states, "With respect to the "establishment of Offices, and the duties and emoluments of the Record "Officers, that it has not been found practicable to make any alteration in "England, principally on account of the vested rights of individuals."—p. 6.

No notice of this department of the Commission's duties occurs in the next General Report of 1819. "Many severe animadversions," says the Bishop of Llandaff (at p. 7 of his printed letter), "have been made by writers of "ability conversant with Records, on the great defects of the present system "in most of the Record Offices, which have received no remedy from the "Commission."

"Every passage of Report of 1800," says the Preface of the Secretary's Compilation on Public Records, p. v., "exhibits evils, to which the lapse of 30 "years has only served to give a more luxuriant and a more vigorous growth; "and even the ancient Reports of 1719 and 1732, indicate many corrupt "practices that still exist, in despite of 'recommendations' and 'orders' made "and reiterated by Committees and by Boards, and with which, notwithstanding "the long-continued efforts of their predecessors, the present Commissioners "on the Public Records are compelled now to grapple."

At a Board held 30th June 1832, notice appears (Agenda p. 7), of a Committee or Committees "to inquire into the duties of the several Officers, Clerks "and other Ministers having the care, custody or management of the public "Records;" the fees, &c. being the additional duties imposed on the present Commission; and "the prosecution of which inquiries, the Secretary was "informed by the Lord Chancellor, was the principal object of the new "Commission;" "but when it was contemplated to form a Committee or "Committees it occurred to some one, I think," says the Secretary, "to "Lord Brougham himself, that almost all the most material objects have "been attained by the Royal Commission issued in the year 1816; and the "Committee was never appointed."

Mr. Cooper's Ev., 1091.

See Return of Meetings of the Board, 30 June 1832.

The subject was again renewed at a Board (March 2, 1833). It is stated in the Agenda, p. 105, "It has lately been made a subject of reproach to the "Secretary, that although almost two years have elapsed since the present "Commission was issued, yet no proposal has been brought forward to effect "any amelioration under the head of Establishment and duties of Office, and "Fees."

Mr. Cooper's Ev. 1129.

Ibid. 1042.

"In my judgment, there was no immediate and pressing occasion for the "Commissioners to take any steps in reference to the fees. In 1832 and "1833, I had occasion to consider the subject of fees in the different Offices, "and I was satisfied that in general the fees are reasonable, I mean the legal "fees. I had formerly, from Pamphlets and Reports, received a different "impression upon the subject."

Such, however, does not appear to be the general opinion of persons who have been under the necessity of making searches either for legal or historical purposes. Various Witnesses, particularly Mr. Illingworth, Mr. Hewlett and Mr. Grimaldi, have given ample evidence of the oppressive bearing of these demands upon the suitors in our Courts of Law, stated by Mr. Grimaldi to amount to a "denial of justice."

Mr. Grimaldi's Ev., 6529 et seq. 6582.

Sir H. Nicolas' Ev., 3916–3941 et seq. 4166 et seq.

Vice-chancellor's Ev., 6668.
Lord Lyndhurst's Ev., 8201.
Baron Alderson's Ev., 7685, 7686.
Sir C. Wetherell's Ev., 6001.

Sir Harris Nicolas furnished Your Committee with striking illustrations of the enormous amount demanded for fees in Peerage cases. That these fees are matters of general complaint among the Profession, may be seen in the Evidence of the Vice-Chancellor, Lord Lyndhurst, Baron Alderson, and Sir Charles Wetherell; and in the Evidence of Lord Langdale will be found a forcible exposition of the mischievous effects of such fees, in deterring the applicants for justice from establishing their rights and settling disputes by having recourse to the tribunals of their country. No language that Your Committee could employ could too strongly condemn the monstrous injustice and impolicy of imposing these additional burthens on those who have the misfortune of having legal rights unjustly withheld or menaced; and who are already, from accident or the defects of our law, exposed to the unavoidable expenses and anxieties of litigation. The operation of these evils appears to be most extensive. Frequent recourse is had to these documents in the course

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of legal proceedings. In many instances the search is to be conducted at hazard, through Records of different classes, extending over a long period. For every different document and every different period, a separate fee in most instances is required; and if, in order to diminish the labour, uncertainty and cost of such a search, the inquirer can have recourse to a Calendar or Index, that Calendar or Index generally turns out to be private property, and is made the means of exacting an additional fee. Fees of an inordinate amount are demanded for producing Records before the two Houses of Parliament, from the parties who may have occasion to use them. Fees of disproportionate extent are demanded for every copy of these documents which it may be necessary to procure before the other tribunals, or for the satisfaction of the parties; and lest this charge should be evaded by the personal diligence of the inquirer, or should not amount to so much as may satisfy the expectations of the keepers, in most of the Record Offices no person is allowed to make the copy for himself; and at the Rolls not even a memorandum, nor a copy of only such portion of a Record as may be useful to him is allowed. In all cases he must pay the officers for making the copy, and almost always for copying more than he needs.

Sir C. Wetherell's Ev., 6001, 2, 3, 4. Vice-Chancellor's Ev., 6666, 6667.

Mr. Hewlett's Ev., 716, 717 et seq. Mr. Grimaldi's Ev., 6536.

In many of the Offices the fees bear equally heavy upon those who consult the Records for historical and antiquarian purposes. In some Offices, Your Committee has been informed that they are wholly or in part remitted. Even where this remission takes place, it is the act of the keeper, and must lay the person benefited under a personal obligation to him: and the access, where not closed by fees, may thus be granted or withheld at the pleasure of an individual.

To inquire into the mode of remedying this great abuse of fees, and into the regulations and establishments of the various Offices, was the one new object (in addition to those which had been assigned to former Commissions), for the furtherance of which the present Commission was constituted. It appears, however, to Your Committee, that no effective power of interfering with the present regulations of the Offices, or of diminishing the fees, has ever been given to the Board. To recommend reforms, and to obtain sufficient powers for executing them, was indeed all the Commission could do; and this it has certainly failed to effect. Your Committee has been informed that inquiries have been circulated and Returns ordered and generally made; but for the result of the information thus obtained, it is only referred to the appearance of a general Report, which is hereafter to be laid before His Majesty. The Secretary says, the "Keepers of the Record Offices may shut the doors in the face "of the Commission." In some cases, supposed impediments on the part of the keepers have been evaded by irregular means; in some, the operations of the Board have been wholly stopped, owing to what have been represented as unreasonable pretensions on the part of the keepers; but nothing has been done in the way of removing these obstacles, by applying to the Legislature to invest the Commission with that power, which alone could enable it to discharge its duties in a satisfactory manner.

Mr. Cooper's Ev., 387. Mr. Protheroe's Ev., 1517. 1520. Sir H. Nicolas' Ev., 3915. Mr. Cole's Ev., 4434. 4448.

Mr. Cooper's Ev., 389.

Mr. Cooper's Ev., 1134, 5. 7.

Mr. Vincent's Ev., 1700.

In consequence, the fees remain as they did before at the principal public Offices; and any improvement which may have taken place is to be attributed to the keepers and not to the Commission. In the only Office which has been for some time in the actual custody of the Commission, namely, the Augmentation Office, there has been, as Mr. Hewlett says, during that period "a very

Mr. Hewlett's Ev., 771.

" a very great change for the better as regards the fees." The irregularity and uncertainty which existed with regard to fees in this Office during the time of Mr. Caley, who used to charge fees *ad libitum*, and the reductions and certainty introduced by himself, are described by Mr. Cole, who subsequently had the custody of this Office. This improvement is not to be attributed to the Commission; inasmuch as the Secretary, in his Examination before Your Committee, actually informed it that he conceived no change to have been necessary in this respect, and that none had been made.

Mr. Illingworth's Ev., 918, 9.
Mr. Cole's Ev., 4712. et seq.

Mr. Cooper's Ev., 499.

Projects for the erection of a General Record Office, have been at various times considered by the Board. No such plan has, however, been carried into effect.

Mr. Illingworth's Ev., 845 et seq.
Mr. Cooper's Ev., 2664.

" A great many meetings were held and reports made," and a Bill was prepared, which Mr. Allen tells Your Committee was either not brought into Parliament, or not persevered in; and the matter, as he stated, was allowed to drop; not, it would appear, on account of the opposition justly excited against it by reason of its proposed misappropriation of the Suitors' Fund, but owing as Mr. Allen says, to a " mere accident," of which the nature has not been explained.

Mr. Allen's Ev., 7337, 8, 9.

Lord Langdale's Ev., 4513 et seq.
Mr. Allen's Ev., 7341.

With regard to the Establishments of the different Offices, hardly any interference has been exercised by the Commission. During the existence of the Commission, the sinecure office of Keeper of the Chapter House has been filled up by the appointment of Sir F. Palgrave at the recommendation of the Secretary. This gentleman stated to Your Committee that he had received the office as a sinecure; and might, if he chose, claim a right to keep it as such, according to the footing of his predecessors, on which he had received it: that he might take the salary of 400*l.* a year, as his predecessors had, who did nothing for it. He added, that " whatever the Treasury, his superiors, " required him to do he was ready to do under a fair construction;" and intimated his intention of making the office an efficient one " in proportion to the " salary." This indefinite relation between an office and its duties, depending on the occupant's appreciation of his own services, appears to Your Committee very objectionable.

Sir F. Palgrave's Ev., 4138 et seq.

Under this head Your Committee has also to remark the existence of a very palpable and mischievous evil, in the circumstance of the custody of the Records being confided to such a number of persons and so loosely exercised, that it is almost impossible to say who has a right of access to them, or where the Records are to be found. This mischief is partly owing to the dispersion and inconveniences of the Offices in which they are deposited.

In the Evidence of Mr. Panton, it will be seen that the Records which are lodged in Somerset House, are frequently brought from thence to the Temple for inspection, and that portions there remain for some time.

Mr. Panton's Ev., 7059 et seq.
Ibid. 7071.

The late Mr. Caley was in the habit of sending the Records of the Augmentation Office to his house in Spa-fields, where they suffered severely from the most careless treatment.

Mr. Hewlett's Ev. 785.
Mr. Illingworth's Ev., 881. et seq. 920.

But the utmost degree of confusion in respect of custody, appears to be that which prevails in the Office of the King's Remembrancer of the Exchequer.

It appears from the Evidence of Mr. Vincent, that in that Office no less than 33 persons have access to those Records, whenever and in what manner they please. It may be perhaps owing to this cause, that in addition to the losses which they have suffered from other causes, many of the Records appear to have been at different times embezzled.

Mr. Vincent's Ev., 1720, 1.
Mr. Cole's Ev., 4438, 4439, 4440.

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It is said that the labourers and soldiers, to whose custody the Records during their migration into the shed in Westminster Hall, seem for a while to have been transferred, in place of that of the Barons of the Exchequer, disposed of them to the glue-makers; and as they had full power of doing so, and must have supposed that matters so entrusted to them could be of no value to anybody else, it may easily be believed that they did so. At various times the attention of the Commission has been directed to the fact, that documents evidently belonging to some of our public Repositories were exposed for sale: and an instance of this, which had occurred during the sitting of Your Committee, was brought before its notice. No effectual means have been taken to prevent this evil, nor can be whilst the custody of Records remains as at present.

Mr. Cole's Ev., 4435. 4452.

Mr. Cole's Ev., 4925 et seq.

The attention of Your Committee has been directed to a practice utterly at variance with every sound principle; that of the Keepers of the Records, and their clerks, acting as private agents for parties, in searches made at their own Offices.

It would appear from the Evidence of Mr. Illingworth, that suspicions have arisen of the power of the keepers having in this respect been abused, in some of the English Offices.

Mr. Illingworth's Ev., 873. 913 et seq.,

From the Evidence of Lord Dunsany, it would appear that in Ireland, the existence of a similar practice is felt to be an excessive grievance.

Lord Dunsany's Ev., 8098-8107.

The custody of the Records in the Duchy of Cornwall is also deserving of peculiar attention. A portion of those Records are considered by the officers of the Duchy as the private title-deeds of the Duke of Cornwall, and as such withheld from general inspection; the remainder they admit to be of a public nature, and to them they profess to give all inquirers full access. As, however, the line between these two classes is by no means definite, and as no Catalogues exist of the documents belonging to each class, it is obvious that the permitting or withholding access to any Record must depend entirely on the pleasure of the keepers. Your Committee cannot but join in a wish expressed by Sir George Harrison (letter dated 26th Jan. 1836), for the adoption of a plan for the centralization of Records, when the public portion of those belonging to the Duchy may be separated from the private, and placed along with the other public muniments of the country, where ready access may be afforded.

Mr. Abbot and Mr. Coode's Ev.

Mr. Cole's Ev., 4743 et seq.

Appendix (M.)

From the foregoing Summary of the state of the Record Offices, and of the proceedings of the Record Commission, it will appear that the former is most unsatisfactory, and that the latter have been very inefficient, as far as regards the preservation and accessibility of the Records. The Records are kept in a number of inappropriate, unsafe, and inconvenient buildings, scattered at great distances in all parts of the metropolis. In these they have been subjected to the accidents of fire, and to continual destruction from damp, dirt, vermin, and other natural causes of decay. In careless transfers from one Office to another, or from the Offices to private houses, many documents appear to have been destroyed and embezzled. A great proportion of them cannot be said to have been subjected to any arrangement. To the information which exists among those which are the best arranged, sufficient clue is seldom afforded by satisfactory Calendars and Indexes; and in addition to all these evils, the access of the public to these valuable materials for legal and historical inquiries

Mr. Cooper's Statement, Appx. (B.)

Sir C. Wetherell's Ev., 6001, 2, 3, 4. Vice-Chancellor's Ev., 6666 et seq. 6674. Baron Alderson's 7686 et seq. Lord Lyndhurst's Ev., 8200, 1, 2.

inquiries is debarred by the exaction of heavy fees and the imposition of needless and vexatious regulations.

The great mass of the Records, including many of the highest importance, may therefore be said to be unavailable for any public purpose. In the Evidence of Sir Harris Nicolas, Mr. Hewlett, Mr. Illingworth, Mr. Grimaldi, Mr. Rogers, Mr. Coode, Mr. Parkes, Mr. Hodgson, Sir Charles Wetherell, the Judges of the various Courts, and other persons engaged in legal inquiries, it will be found that the existence of these evils has formed a serious impediment in the way of persons prosecuting legal claims. They state, that owing to this cause, documents necessary to the establishment of legal rights have either not been found when wanted, or found only by accident, and produced in court at an enormous cost. It appears, therefore, to Your Committee, that these defects in the present state of the Record Offices have exercised a most mischievous effect on the administration of justice; nor can it suppose that they have been less detrimental to the progress of historical knowledge. That the same defects which impede the legal, must thwart or embarrass the historical inquirer; and that history must be written imperfectly, while historians know not what materials are to be found in our Record Offices, needs no demonstration. This cause of imperfection must have operated most strongly upon the publications of the old Commission. Not knowing accurately what treasures existed in the public Repositories, they necessarily printed in the dark as to the relative value of what they published and what they left unpublished, and as to the completeness of some of the most important works which they gave to the world. In the King's Remembrancer's Office, says the Secretary in the second page of the Agenda, "the Commissioners in the course of a few "weeks have had the mortification to discover documents that furnish the "most lamentable proofs of the imperfections that pervade some of the best "publications of the old Boards."

Messrs. Illingworth, Hewlett and Roger's Ev. Sir C. Wetherell's Ev., 6004.

In the Evidence of Mr. Thomson will be seen proof of the great changes which recent discoveries will render necessary in the publication of the Scottish Acts of Parliament.

Mr. Thomson's Ev., 3820*.

"The discovery of the Registers of the Parliaments of Scotland, from May "1639 to March 1650, in the State Paper Office, makes it indispensable to "cancel vols. v. and vi. of the Acts. It is calculated that the newly-discovered "matter will fill 2278 pages."—(Agenda, p. 12.)

Ibid.

It is asserted by Mr. Cole, that the valuable work entitled "Parliamentary "Writs" is from the same cause imperfect; and though the propriety of applying this epithet to it is disputed by some of the Witnesses, there can nevertheless be little doubt that the publication would have been more satisfactory had it included matter which has since been discovered. The same objection has been urged with regard to the Valor Ecclesiasticus; but on this point also, considerable difference of opinion exists among the Witnesses.

Mr. Cole's Ev., 7911.

These evils have for a long time existed in the Record Offices, rendering the great majority of their contents utterly unavailable for the purposes of the public; and have not as yet been removed. One witness thinks that since the foundation of a Record Commission in 1800, more Records have been destroyed or lost than in the four preceding centuries; and Mr. Nichols, who spoke to the utility of the printed works of the Commission, complains of "the public "Offices being closed to the easy access of historians," and of "the expense "of fees and office copies;" and adds, "that topographers have made less use "of the Records, from the close and impervious state of the public Offices;" and that he found the system "a great impediment and annoyance."

Sir Thos. Philipps' Ev., 7551.

Mr. Nichols' Ev., 5847, et seq.

VI.—SELECTION OF ORIGINAL RECORDS.

1. *Transcripts.*

In the Preface to the Secretary's compilation on Public Records, it is stated, p. vii., "One of the two great objects, without the attainment of which "the labour of the Commissioners must be unprofitable and useless, is "preservation of the contents of Records by means of the press or tran-"scription. Under this head, the Compiler ventures to make the following "brief suggestions and remarks: Measures should be adopted that all the most "rare and important Records in the different Offices be accurately transcribed. "Transcription is more economical than printing, and in numerous cases it is "fortunately as efficacious, at least for all useful purposes. Valuable as our "Records are, they are valuable only to those persons who have made them "the object of peculiar study and pursuit, and industriously acquired the "keys to the various ciphers in which they are composed. Such persons "form a distinct, but not a numerous class; and it would be easy to show "that to them a faithful transcript of a Record, placed in the Museum, would "be frequently more acceptable than a printed volume." But the Secretary states to Your Committee, that his opinions "on the sufficiency of transcribing "have undergone a considerable change since the year 1832."

Mr. Cooper's Ev., 1915. 2837.

It appears from the Evidence, that few, if any, transcripts have been made with a view to perpetuation, and the only transcripts, besides those required for printing, which have been made in any quantity, are transcripts of Rymer's Collectanea in the Museum.

"I cannot (says Sir H. Nicolas) conceive anything more useless than such "a proceeding;" "they are too inaccurate to print;" and, according to Mr. Stevenson, "These transcripts are of no earthly value."

Sir H. Nicolas's Ev. 4235–4237.,

Mr. Stevenson's Ev., 3831.

The transcripts of the Privy Council Books appear to have been twice made at the public expense.

Mr. Cooper's Ev., 1862.

The same thing is admitted to have happened with respect to some portion of the volume intituled "Rotuli Selecti."

Sir H. Nicolas' Ev., 4182. 4187 et seq.

Mr. Cooper's Ev., 1864. 1908. 2587 et seq.

2.—*Printing.*

A considerable portion of the inquiries of Your Committee has been directed to the various publications which have come out under the sanction of the different Commissions. To this purpose the attention of all of them appears to have been primarily turned. The preceding Commissions gave to the world printed editions of certain of the more valuable of our Records; the importance of which had been long and universally recognised. About the utility of generally diffusing the information contained in these documents by means of the press, no doubt can be entertained. Useful Catalogues of the MSS. in the British Museum, and Calendars to various classes of documents in the Record Offices, were among the works which they published; and of these the extensive utility has been proved by all Witnesses engaged in legal or historical inquiries. The chief fault committed by these Commissions, in respect of the selection of works for publication, appears to have been their undertaking those which were not complete in themselves, and which, as has been above stated, the subsequent discovery of fresh materials has in many cases shown to be incomplete. Of the execution of these works it is impossible, however, to speak so highly.

The Statutes of the Realm, the Scotch publications, and Sir F. Palgrave's Parliamentary Writs, are distinguished as being the best executed of the works of the past Commissions. It seems to be admitted on all sides that great errors and defects are to be found in almost all the other works. The copy of one of the printed Calendars of the Tower Records, which has been before-mentioned as having been exhibited by Mr. Hardy*, affords a lamentable instance of the errors to be discovered by the necessity of a careful collation for practical purposes. These volumes appear to have been generally printed at a very heavy cost, and their cumbrous form greatly diminishes the convenience of consulting them. The present Commission has, in this respect, avoided many of the faults of those which preceded it. It has not, perhaps, given to the world any works of equal importance with the Valor Ecclesiasticus, the Taxation of Pope Nicholas, the Statutes of the Realm, and one or two other works which had been previously printed; because these works having been printed, there remained behind few known materials of equal value. It has introduced a very great improvement, in undertaking, for the most part, no works except those which, like the Close Rolls, Patent Rolls, Rotuli Curiæ Regis, and other series of Records, were in themselves complete. All the Witnesses speak to the great value of these works. The execution of the works of the present Commission has also been greatly superior. A more convenient form, too, has been generally adopted in its publications. The most competent Editors have generally been secured, and the works appear to have been carefully and perfectly edited.

Sir F. Madden's Ev., 5467.
Mr. Beltz' Ev., 6719. 6732.
Mr. Roberts' Ev., 7013. 7036, 7 et seq.
Mr. Gunthorpe's Ev., 7249.
Sir T. Phillips' Ev., 7529.
Mr. Hunter's Ev., 3179 et seq.
* Mr. Hardy's Ev., 6987 et seq.

Mr. Cooper's Ev., 1897. 1910.

To these merits there are some exceptions. The volume of the Rotuli Selecti appears to have been entrusted to an incompetent Editor, and even after revision, to have been published in an unsatisfactory state. The same observations apply to the Chancellor's Roll.

Mr. Cooper's Ev., 1899. 1913.

Mr. Protheroe's Ev., 1575 et seq.
Mr. Cooper's Ev., 1873. 1877.

It has also been made matter of complaint, that the Commission has, in some instances, published original works of modern writers, for which no direct authority appears to be given by the terms of the Commission; and that in some instances the information contained in those works had before been given in other forms.

In speaking, however, of the printed works of the present Commission, Your Committee cannot forbear referring to the large quantity printed, at considerable expense, by a private printer. Some of these appear to have been printed merely for the private use of the Commissioners; and some, on the other hand, to have been intended for distribution and sale. None of these publications are of the nature of those which the Board is authorized to print by the terms of the Commission. It seemed, however, to be considered that the expenses incurred under this head should be regarded as part of the necessary expenditure of the Commission. But the Returns laid before Parliament show that the bill of Mr. Roworth, for printing these works, amounted in the two years between September 1833 and August 1835, to no less a sum than 2,256 *l.* 1 *s.* 1 *d.*

A large portion, however, of these works appear to have been intended for public use, and are indeed of such a nature that it would be highly improper to print them with any other object. In the volume commonly called the Agenda, which in fact consists of notes of business to be done at different meetings of the Board, and which is altogether got up at a considerable cost, are printed various Selections from the ancient Records. These Selections, if merely curious, ought not to have been printed at all; if useful or important, they should have been

been printed for the benefit of the public at large, and not of the Commissioners alone. Indeed, after the continuance of this practice for some time, the propriety of such a proceeding appears to have been doubted, and these Selections were collected into a volume, which has been laid before Your Committee.

Mr. Cooper's Ev., 2665, et seq. 2695, 6, 7. Mr. Brayley's Ev., 6380–84. Mr. Cole's Ev., 4633–4645.

Among these works, also, may be noticed the Appendixes to Mr. Cooper's Report on the Fœdera, which were long the subject of Your Committee's inquiry. The present Commission found a republication of "Rymer's Fœdera" in progress, which it suspended. It appears, however, that at a subsequent period the Secretary determined to resume this work. In order to make it complete, he thought it desirable, in the first instance, to discover and to bring together whatever documents relating to the British Empire might exist in the various Archives and Libraries of the Continent. For this purpose, and also for that, as he informed Your Committee, of aiding Mr. Petrie, he employed various British and foreign agents to prosecute these searches, and to diffuse a knowledge of the existence of the Record Commission. It appears by the Parliamentary Return, that these researches cost above 3,000 *l.*, exclusive of printing. The results are to be found in certain transcripts, some of which were produced before Your Committee, and others were stated to "not yet "to have reached the hands of the Commissioners;" and in five volumes of an Appendix to a Report on the Fœdera, which was stated "to be not yet "framed."

Mr. Cooper's Ev., 126. 2685.

Mr. Hallam's Ev., 7618–7626. Mr. Allen's Ev., 7427, 7428. Mr. Protheroe's Ev., 2022–2080. Mr. Cooper's Ev., 2160. 2194. 2244. 3057. 3067. Mr. Petrie's Ev., 3431, 2, 3, 4, 5, 6, 7, 8. Mr. Cooper's Ev., 2198.

Mr. Cooper's Ev., 1188. 2191. 3103.

The first of these volumes, Appendix A., is a Catalogue of various Books or MSS. more or less directly relating to Great Britain, and which are said to exist in various Continental Repositories. Appendix B. is a collection of Anglo-Saxon Fragments. Appendix C. is a miscellaneous assortment of Latin documents, some of which are copies of documents to be found among the archives of Hamburgh. All of these, from the Evidence of Mr. Hardy, appear, as far as he had had time to collate them, to be enrolled at the Tower; sometimes even more available counterparts of such documents exist in the Tower and other Record Offices in London. In this volume there is also a Poem, "De Bello Normannico," which had been previously procured and printed by Mr. Petrie, in that part of his volume which under the sanction of the Commission has already gone to Press. This is apparently now merely reprinted from Mr. Petrie's amended text. Appendix D. is a Catalogue of documents in the French archives. Appendix E. is a Chronological Catalogue of the materials transcribed for the new edition of the Fœdera. If it be thought advisable to publish a new and complete edition of Rymer's Fœdera, it may be a question whether separate funds ought not to be allotted for the work, without encroaching on those of the Record Commission.

See Orders of Board relative to printing. App. (F.) Mr. Garnier's Ev., 4093–4106, et seq. Mr. Hardy's Ev., 3667, 3668, 3669, 3670–3677. 3719.

Mr. Hardy's Ev., 3670.

Mr. Cooper's Ev., 3138; 3139, Mr. Petrie's Ev., 3455–3470.

Mr. Hallam's Ev., 7624. Mr. Allen's Ev., 7429.

VII.—GENERAL ADMINISTRATION OF THE AFFAIRS OF THE COMMISSION.

The business of the Commission was nominally conducted at Meetings or Boards, held at the official or private residence of some one of the Commissioners. It appears from a Return laid before Your Committee, that in a period of nearly five years, 38 Boards were held, and only seven of the 25 Commissioners attended at more than half of these. These Boards were called by the Secretary at his direction. They sat rarely more than two or three hours, their duration depending on the time at which some of the leading official members

Mr. Cooper's Ev., 12 et seq. Mr. Protheroe's Ev. 1132 et seq.

Mr. Cooper's Ev., 7802 et seq. Mr. Protheroe's Ev., 1340. Ibid. 1334 et seq. Mr. Cooper's Ev., 128 to 131. 521. Mr. Vincent's Ev., 1740 et seq. Mr. Protheroe's Ev., 1530 et seq. Ibid. 1325. 1983. Mr. Cooper's Ev., 7696 et seq. Ibid. 2777.

members could conveniently come, and that at which they were forced to go away to attend to other business. The business to be done at these Boards was arranged by the Secretary. The correspondence of the Commission was carried on by the Secretary. Letters of great importance were not laid before the Board. Notices and communications of the Commissioners themselves appear in the same way to have been liable to be suppressed, or only partially communicated to the Board. Some business of the Commission was also done by Committees.

In fact, the administration of the affairs of the Commission appears in great measure to have vested in the hands of the Secretary, consulting occasionally two or three of the Commissioners.

Mr. Protheroe's Ev., 1318, also 1329.

It appears also from the Evidence of Mr. Protheroe, "that it was an express "understanding between him (the Secretary) and Lord Brougham, that the "Record business was to yield to his private law avocations; and to use his "(the Secretary's) own words, 'that the condition on which he accepted the "office of Secretary was, that its duties should be made in all respects secon-"dary and subordinate to his professional avocations.'"

The undefined and almost unlimited authority exercised by the Secretary exhibits, in the judgment of Your Committee, an obvious defect in the constitution and management of the Board, since he possessed, as will appear from the following more detailed statement, the entire control over the funds and disbursements of the Commission, of the preparation of its works, of the engagements, salaries and duties of all persons in the employ of the Commission, and of the distribution of all its publications.

Finances.

It appears to Your Committee, that the finances of the Commission from the earliest period have been conducted in a very unsatisfactory manner.

Mr. Cooper's Ev., 2267 et seq.

The Secretary states that the Commissions previous to the present "nowhere "recorded their receipts and payments;" and that "360,000 *l.* and more "passed through their hands, and there is no trace of it whatever."

Mr. Cooper's Ev., 2348. 7845. et seq.

The present Commission appears to have received Parliamentary grants to the amount of 48,500 *l.* The Secretary of the Commission, "prior to 1831, "could have obtained money to any amount from the King's Printers;" and from 1807 to 1830, a sum of 49,750 *l.* 3 *s.* 2 *d.* was advanced by them. The present Secretary appears to have possessed a power of borrowing to the amount of 10,000 *l.* from the bankers, of which he has availed himself, on the acquiescence but without the direct authority of the Commission; leaving doubts in his own mind whether money so borrowed was on his "individual "responsibility or on that of the Board." The annual grant was always absorbed before it was received.

Ibid. 7852.

Ibid. 7840.

Ev. 8113.

Some accounts have been kept by the present Secretary, but even these are loose and unsatisfactory. The money voted by Parliament was paid over into the hands of a banker, from whom it was drawn by the Secretary's cheques; and it appears that "the Board never previously made an order for payment," and that disbursements "amounting to 700 *l.* or 800 *l.* for particular objects "were incurred, and not known to the Commissioners until their audit."

Mr. Cooper's Ev., 2278. Mr. Protheroe's Ev., 1417. Mr. Hallam's Ev., 7618.

Mr. Protheroe informed Your Committee that he for the first time became acquainted with the large outlay which was being made for the Library and the Foreign Collections, while auditing the accounts; and it seems it was in this way also that Mr. Hallam got any information on these points.

It

It appears that without any authority from the Commission, a large Library of what the Secretary calls Palæographical books, has been purchased at a cost of 1,576 *l.* 13 *s.* 3 *d.* Some books purchased at former times have been sold or exchanged; the existing Library is kept at the Secretary's chambers in New Boswell Court. Whether the books were necessary or not, and whether they have been well or ill selected, it appears to Your Committee that an expense of this magnitude should not have been incurred without the knowledge of the Commission. It does not appear that these books were generally made useful for the purposes of the Commission. In the absence of an accessible catalogue, the employment of them must have been very limited; and Mr. Hardy, Mr. Stevenson and Mr. Cole state, that they have been put to considerable expense in the purchase of books needed by them in the execution of duties assigned them by the Commission; copies of which books appear to have been all the while existing in the Library of the Commission.

Question 6624. Mr. Protheroe's Ev., 1417 et seq. Mr. Hallam's Ev., 7635. Mr. Cooper's Ev., 2278. 2285. Mr. Hardy's Ev., 3683. Mr. Stevenson's Ev., 3864. Mr. Cole's Ev., 4783.

It is stated in the Return to Parliament in defence of the formation of this Library, that it was intended for the use of a School of Young Transcribers; but of this School no such satisfactory account has been obtained by Your Committee, as would authorize such an appropriation of the Public Money.

Mr. Cooper's Ev., 2947. Mr. Protheroe's, Ev., 2089. Mr. Petrie's Ev., 3481.

One result of this unsatisfactory management is to be found in the accumulation of the debt, the amount of which has already been reported to Your Honourable House by Your Committee. In the last Returns made to Parliament, a confusion exists between what are called debts and what are called liabilities. The expenses actually incurred by the former Commission are distinguished as debts; those incurred under the present Commission, in continuation of undertakings originally entered upon by the former Commission, are classed as "liabilities" of the former Commission. It will be found that in the 10th day's examination this matter has been very minutely investigated, from Questions 2492 down to 2562. From the answers to these, it will be seen that the actual debt inherited by the present Commission from its predecessors, amounted to between 15,000 *l.* and 16,000 *l.* During the two first years of its existence the present Commission very properly suspended the greater part of the publications then going on, and paid off the greater part of this debt. It appears that the Commission being then desirous of proceeding with new works, an application was made to Lord Althorp to request from Parliament the payment of what remained of this debt. This Lord Althorp refused to do; upon which the Board had recourse to a system of credit. Since this period, or for the most part since this period, it has contracted its actual debt, which is stated to have amounted, on the 27th April, to more than 20,000 *l.* Since then again, it appears from a subsequent examination that, by the 5th of July, probably about 2,000 *l.* more had been incurred. It appears, therefore, likely that the whole of the actual debt of the Commission amounts to between 23,000 *l.* and 24,000 *l.* That of this about 750 *l.* is due for expenses actually incurred by the former Board; and that the remainder has been incurred by the present Commission. Comparing the actual debt with that which the present Commission inherited from its predecessor, it appears to the Secretary that the former left a debt of between 16,000 *l.* and 17,000 *l.*; and on the same authority, that the latter has, in the course of five years, augmented this debt to about 24,000 *l.* In fact, inasmuch as it is stated, that the greater part of the old debt had been paid off in the year 1832, it may be said that the greater part of the existing debt, of near 24,000 *l.*, has been incurred within the last four years. Your

Mr. Stevenson's Ev., 3827 et seq. Ibid. 3832. Mr. Stevenson's Ev., 3837.

27 April.

Mr. Cooper's Ev., 2556.

Ibid. 2535. 8137–8.

Mr. Cooper's Ev., 2557.

Mr. Cooper's Ev., 2557.

Mr. Cooper's Ev. 7932. 7941.

Mr. Cooper's Ev. 7937. 8110, et seq.

Committee feels itself bound in justice to remark, that an improved system was suggested in January last by the present Chancellor of the Exchequer, and its adoption determined on by the Board, but it has not yet been adopted; and there is too much reason to fear that the establishment and maintenance of the improved system first proposed to be adopted in the sixth year of the duration of the Commission depends on nothing but the continued application of the Chancellor of the Exchequer, who directed his attention to a subject which had escaped the notice of his predecessors.

Preparation of Works, and Engagements of Sub-Commissioners, Editors, &c.

Mr. Cooper's Ev., 1896.
Mr. Allen's Ev., 7395.

Mr. Cooper's Ev., 2719–2724.

THE choice of works for publication, the selection of Editors, and the regulation of the cost at which the works were to be produced, appears to have been left in great measure to the Secretary. He himself states that it was left to himself, with Lord Brougham and Mr. Bellenden Ker. Mr. Allen imagined that this was done first by Lord Brougham and then by Lord Canterbury. Satisfactory Estimates seem rarely to have been presented to the Board. The Editors appear to have been engaged, and the works commenced, without its authority. Orders of the Board for the different publications were produced before Your Committee, and it is said by the Secretary that nothing but specimens had been printed before these were obtained. It appears, however, from the slightest comparison of the return from the King's Printer, given in the Appendix, with the orders of the Board relating to printing and publishing, also given there, that the Secretary was mistaken in this point, and that some volumes or parts of volumes were worked off long before any order for their commencement had been obtained. Thus the order for the publication of Sir Henry Ellis's Introduction to Doomsday-book, bears date on 9th March 1833; but the first sheets for this work appear to have been printed off in the preceding May. The order for engaging Sir H. Nicolas to proceed with the printing of the Privy Council Books, bears date 1st June 1833; the King's Printers' return shows that part of the work had been printed off on the 13th January 1833.

Sir H. Nicolas's Ev., 4203.

The Commission directs the work of editing, among the rest, to be performed by "Sub-Commissioners;" but compliance with this injunction has been an exception to the general practice of the Commission. The engagement with the Editor has generally been most informal and loose. A written agreement, or rather memorandum of the roughest kind, was procured by Sir Harris Nicolas, who states that he "found the utmost difficulty in obtaining it." This is the only document of the kind (excepting the agreement of Sir F. Palgrave) of which Your Committee has any knowledge. The other editors were engaged, their payment, and the task they were to perform for it specified by the Secretary, either by word of mouth or in a note unaccompanied with any order of the Board. The effect of this irregularity is to be seen in the disputes which have taken place between Mr. Cooper and most of the editors, or the causes of complaint which have arisen on either side, as will be seen by reference to the Evidence quoted in the margin.

Mr. Hardy's Memorial, App.
Mr. Cooper's Ev., 1280. b.
Mr. Cole's Ev., 4913.
Mr. Holbrooke's Ev., 1257 et seq.
Mr. Illingworth's Ev.,

It appears to Your Committee advisable that the Treasury should investigate and settle the various pecuniary claims of these gentlemen.

In the case of Mr. Stevenson, the Secretary's irregularity was productive of very unsatisfactory effects; and Your Committee begs to call the attention of The House to the Statement made by Mr. Stevenson on that point.

The Commission specifically enjoins that the work of methodizing, arranging and

and calendaring the Records, shall be performed by Sub-commissioners. Except in the case of Sir Francis Palgrave, work of this kind appears never to have been entrusted to any Sub-commissioner besides Mr. Caley. Mr. Petrie is a Sub-commissioner for the special purpose of preparing the work entitled "Materials for the History of Great Britain." Mr. Hunter is the only other Sub-commissioner.

Mr. Stevenson's Ev., 3748 to 3758. Ibid. 3756.

Mr. Cooper's Ev., 2905. Mr. Hunter's Ev., 3199.

Mr. Hunter has a formal appointment by a Minute of the Board, which specifies no particular services or fixed salary: these are settled by private arrangement with Mr. Cooper. The business of arrangement, and frequently the preparation of valuable works for the Press, have been confided to gentlemen, whom Mr. Cooper frequently designated with the title of Sub-commissioners, though, as the Board has since decided, they were Clerks, liable to receive their dismissal at the pleasure of Mr. Cooper. This erroneous application of the term, the Secretary attributes to the ordinary carelessness of familiar conversation and correspondence. Unfortunately, however, his habitual use and recognition of the term, as applied to them, coupled with the circumstance of the duties which they performed being precisely those assigned by the words of the Commission to Sub-commissioners, appears to have had the effect of making Mr. Hardy and Mr. Cole conceive themselves to be Sub-commissioners, and as such, liable to receive their dismissal only from the Board.

Mr. Hunter's Ev., 3222 et seq., and 3201–3208. Mr. Stevenson's Ev., 3741.

Your Committee cannot but condemn this deviation from the course pointed out in the Commission, inasmuch as it tends to vest very important functions in the hands of a person irresponsible to the public, and to place a number of individuals of education and sensitive feelings in a situation of unseemly dependence upon an individual. Your Committee cannot but sympathize in the feelings of Sir Harris Nicolas and Mr. Protheroe, at a position so degrading to literature and men of letters. For it appears that, according to this practice, engagements with editors, and other persons employed in the performance of the most important duties of the Commission, are too much left to the Secretary; that publications are liable to be undertaken and suspended, appointments made and revoked, and salaries given and taken away at his discretion, and without sufficient cognizance on the part of the Board.

Sir H. Nicolas' Ev., 4215. Mr. Protheroe's Ev., 1600.

Distribution.

None of the works prepared by the Record Commissions have been sold at a remunerating price; nor was this perhaps to be expected. The sale of works of the present Commission has produced altogether no more than 774 *l.* 3 *s.*; the Commission has therefore professed to render them of the utmost avail to the public at large, and more especially to those engaged in historical and legal inquiries, by presenting copies of them to various public libraries; the business of distribution has consequently been one of great importance. Mr. Protheroe states that he was a member of a Committee of the Commission appointed to superintend the distribution of its publications; but he thinks that presents have been made without the knowledge of the Committee; as, for instance, to the Commissioners of the Bedford Level. The propriety, indeed, of sending such publications to such a body, as well as to the Poor Law Commissioners, appears to your Committee somewhat dubious. This business, indeed, like most others, appears to have been left too much to the Secretary's discretion.

Mr. Protheroe's Ev., 1462, et seq.

Mr. Rich's Ev., 6339, 6340. Mr. Cooper's Ev., 2821. Mr. Colquhoun's Ev., 6319 et seq. to 6329.

Of the uncontrolled power vested in Mr. Cooper over the distribution of the publications, a singular proof was, however, afforded by an occurrence which took place during the sitting of Your Committee. Various gentlemen were summoned, at the request of the Commissioners who were Members of Your Committee, to give Evidence as to the utility and satisfactory execution of the various publications of the Commissions. It appeared in the course of an Examination of one of them, that he had been requested to appear as a Witness, and that at the same time a number of the publications of the Commission had been forwarded to him. On inquiry from the Secretary, it appeared that the same course had been pursued with respect to most of the other gentlemen examined under similar circumstances, and a great many of the others whom it was at one time in contemplation to call. A Return was ordered from the King's Printer of all books sent as presents since the commencement of the present year, which is printed in the Appendix.

Appendix (C.)

Mr. Cooper's Ev., 7869. 7923–4.

The cost of the works thus given away for a temporary purpose, on the authority of the Secretary, who had no order of the Board for this act, but had previously obtained "the concurrence of some of the Commissioners," appears from the best calculation which Your Committee has been able to make to amount to a sum exceeding 1,000*l.*

It has also appeared from Evidence taken before Your Committee, that large quantities, amounting to 16 tons, of the costly publications of former Commissions, have been sold as waste paper. It is true, that of these works thus wasted, some were the first volumes of sets, of the latter volumes of which a reduced number had been printed. But in publications of this nature a first volume is not wholly valueless because it is not accompanied by the second. And many of the works thus disposed of were in themselves perfect works: such as the Originalia, the Testa de Neville, the Quo Warranto Rolls, and Scottish Rolls.

Mr. Morton's Ev., 5236.
Sir T. Phillips' Ev., 7544.
Mr. Hardy's Ev., 3684. 3686.

IRISH AND SCOTTISH RECORDS.

The attention of Your Committee has not been directed to any other public Records than those existing in the Metropolis, with the exception of those of Scotland and Ireland. Since the abolition of the Irish Record Commission in 1830, no attention appears to have been paid to the Records of Ireland, beyond that given by their various keepers. Your Committee has not had the proper opportunities for instituting a close or minute inquiry into these Records. It appears from the Evidence of Mr. Groves, Lord Dunsany, and Mr. Fleming, that their condition is very unsatisfactory, and that most of the defects of the English system appear to exist to an equal extent among the Records of Ireland. It will be seen from the Evidence of Mr. Thomson, that the condition of the Records in Scotland forms a pleasing contrast to those of the sister countries. Collected together in one central, ample, commodious and safe building in Edinburgh, placed under the custody of responsible and most competent keepers, they appear to be kept in a state of perfect arrangement, and ample information as to their contents supplied by full Calendars and Indexes, the largest of which has lately been prepared with great labour, and, it is said, in a most satisfactory manner, under the auspices of Mr. Thomson. The fees are not high; and Mr. Thomson contemplates the possibility, and insists on the propriety of reducing them to "the lowest possible amount "requisite to prevent useless and vexatious applications."

Mr. Thomson's Ev., 3797*.

DEFECTS IN THE CONSTITUTION OF THE PRESENT COMMISSION.

It will appear from the foregoing remarks, that Your Committee, considering it their duty rather to examine into existing defects for the purpose of suggesting remedies, than to pass in review the many and important services rendered by the successive Commissions, has directed its attention more to what seems to have been neglected than to what has been efficiently and satisfactorily performed by those bodies. In the Evidence will be found many and valuable testimonies to the utility of many of the works which they have published, and the manner in which they have been executed. Nor is Your Committee inclined to deny that the business of methodizing the Records and rendering them generally available, is in progress; and that the Commission has carried on useful and well-conducted operations of this nature in some of the Record Offices. In some, Calendars have been or are in preparation under its direction; in others fees have been reduced, and inconvenient regulations reformed.

But the Evidence taken before Your Committee, seems to establish that many of the complaints concerning the state of the Records made by the Committee of 1800, are but too applicable to their present state; and that some of the most serious evils there described have experienced little remedy since the institution of a Record Commission. Your Committee, however, is not inclined to impute the inefficiency of the successive Commissions for the most important purposes of their institution, to any fault of the individuals composing them. Indeed the distinguished characters of the majority of those, whose names are placed in them, go far independently of the Evidence to negative such a supposition. But Your Committee can hence only draw a stronger inference, that in the constitution of a Board, which contains so large a portion of political ability and literary talent, yet has exercised so slight a control over the objects for which it was instituted, there must be a radical and irremediable defect. These Commissions have experienced the invariable fate of numerous Boards entrusted with unpaid work. The ordinary and unostentatious business entrusted to them, that of keeping the Records in a good state of arrangement and preservation, and giving the Public sufficient facilities of access and use, has naturally enough, in spite of its importance, been considered as of inferior interest, and been consequently in great measure neglected. To the more ostensible work of publication they have paid a larger, but by no means systematic or well-regulated attention. And under these circumstances the management of affairs has of course almost entirely passed into the hands of the one paid functionary, the Secretary. Mr. Cooper's Ev., 7796.

Many supposed advantages from the plan on which the present Commission is constituted, do not appear to have been realized.

Great stress is laid on the importance of having High Officers of State on the Commission, to give it dignity, and facilitate its operations. Some, it is supposed, were to ensure it access to those Offices, of which they possessed the legal custody. For this purpose also, Judges of the various Courts are said to have been placed on the Commission. Mr. Cooper's Paper. But there is ample Evidence of a necessity having on many occasions arisen for the interference of these high official and judicial persons, in order to procure the Commission sufficient control over the different Offices. It does not appear to Your Committee that this aid has in any case been given by the official or judicial Members of the Commission. Mr. Cole's Ev., 4629.

Mr. Cole's Ev., 4440.

On one occasion the Barons of the Exchequer are stated to have stepped in to the assistance of the Board, and made regulations, which are said to be habitually disregarded.

Lord Langdale's Ev., 4524.

The present Master of the Rolls has attended only at one of many Boards to which he had been summoned, that being the only occasion "on which he "could attend without interfering with the business of his Court, which he "considered more important." "He does not think it possible that under "any arrangement the Record Commission could make, he could have an "opportunity of giving that attention to the business of the Commission, "which would enable him to take an active part in it." "Any other person he should think would do quite as well" in deciding on the editing and publication of antiquarian works. Indeed others "would have more time."

Lord Langdale's Ev., 4529.
Ibid. 4534.
Ibid. 4535.

Mr. Allen's Ev., 7322.

The presence of the Chancellor of the Exchequer might, it is supposed, have been serviceable in regulating the financial arrangements of the Board; and it has been argued that this Minister, The Speaker of the House of Commons, and other Parliamentary Members, would form a convenient medium of communication between the Commission, the two Houses of Parliament, and the Executive Government. It appears, however, that the present Chancellor of the Exchequer is the first who has ever appeared to take the slightest interest in the business of the Board; and that he has only attended once, when his attendance appears to have been of great service. No Secretary of State for the Home Department attended from the formation of the present Commission down to January last, when an unusually large meeting of Commissioners took place to settle the disputes relating to Messrs. Hardy and Cole. It appears that the Commission has been, since the first period of its existence, cramped by the incompleteness of its original powers; and that no one of its Parliamentary Members has ever made any exertion in either House to procure it legislative aid. The Bill, which was sanctioned by the Commission, was to have been brought into the House of Commons by a minister, who was not a member of the Board. The annual grants have been moved by the Secretary of the Treasury.

Ibid. 7352.

Mr. Allen's Ev., 7339.
Mr. Protheroe's Ev., 1425.

Mr. Allen's Ev., 7324.

Mr. Protheroe's Ev., 1495.

Mr. Allen appears to think that the presence of the Archbishop of Canterbury in the Commission, is desirable "on account of his connexion with "those who have ecclesiastical papers under their charge." But it does not appear that this has been its practical effect.

Mr. Allen's Ev., 7383. 7393 et seq.
Mr. Hallam's Ev., 7011 et seq.

The presence of men of business in the Commission might be supposed to have been useful in giving the administration of its affairs a regular and business-like character; and that the historical learning and literary habits of others might be of great use in ensuring the proper selection and fitting preparation of the publications of the Commission. But the peculiar aptitude of the different Commissioners seems not to have been turned to the most advantageous account.

The administration of all the affairs of the Commission appears to have virtually rested in the hands of the Secretary. Possessing authority without practical responsibility, it was scarcely to be expected that his management of the affairs of the Commission should have been satisfactory. In all respects he was undoubtedly more active, and in most cases more regular, than his predecessor; of the merits previously ascribed to the New Commission a large portion must be attributed to him; but Your Committee cannot avoid expressing its opinion that his general mode of conducting the business of the Commission was irregular and unofficial. The entire absence of all proper control

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over his proceedings was a natural cause of such a result; and at the same time a necessary consequence of the defective constitution of the Commission.

REMEDIAL MEASURES.

It is with some hesitation that Your Committee, after this Summary of the present unsatisfactory state of the Public Records, and the errors into which the various Commissions have fallen, ventures to offer certain suggestions, by the adoption of which it thinks that much might be done for the securing an efficient management of this business. In spite of the incomplete results which have been produced after the expenditure of half a million of money, it is to be hoped that Parliament will not despair of being able to render our Ancient Records fully available for the establishment of legal rights, and the promotion of sound historical knowledge.

Your Committee, in remarking on the defective management of past Commissions, has attributed their errors, not to any peculiar incapacity or negligence of the individuals who composed those Commissions, but to the defective principle which has pervaded the constitution of all those different bodies. Our experience of them furnishes but one additional and almost superfluous proof of the folly of expecting efficient labour and systematic care at the hands of a numerous body, unpaid for the discharge of its duties, and occupied by other avocations of a more important, a more imperative, and a wholly foreign nature. The defect being in the system, it is the system which must be altered; and Your Committee can expect no substantial or permanent improvement of the present state of things, until it sees the present Commission replaced by one constituted on an entirely different principle.

The most important business which falls within the province of those who are entrusted with the management of Records, is that of their proper custody. The first and most obvious defect in the present system is that the Records are deposited in different and widely-scattered buildings, and entrusted to a multitude of imperfectly responsible keepers. The advantages of having all the Records of a country placed under one custody, in one central building, are seen in the present state of the Scotch Records. The Witnesses, whose opinion is entitled to the greatest respect, acknowledge the feasibility and the importance of erecting a General Record Office, into which all the Records of the country might be collected. Your Committee does not hesitate to recommend the erection of such an edifice, as the first and perhaps most essential step for the improvement of the present system. The spot known as the Rolls Estate appears to be generally considered as the most eligible site for such a building; and the present Master of the Rolls has informed Your Committee that he thinks that this property might with great propriety be applied to such a purpose, and that he himself, if enabled to do so by Parliament, would willingly transfer it for that destination. It appears from the Evidence of Mr. Thomson that the expense of completing the great Registry Office at Edinburgh may be estimated at about 80,000*l.*; and there is no reason to suppose that a perfectly appropriate building might not be erected for a similar purpose in London at no greater cost. Such an expense is one that, if Records be worth preserving, is worth incurring; and when it is recollected that the fitting-up most unfit repositories in Somerset House cost 16,000*l.*, and the different migrations of the Exchequer Records, until they were lodged in the Carlton Riding House, are said to have cost no less than 10,000*l.*; and that a portion of the Records has, at this expense, been lodged in repositories, from which it is universally agreed that they

Mr. Cooper's Summary, App. (B.)

Lord Langdale's Ev., 4509. 4517.

Mr. Thomson's Ev., 3737, 3739.

Papers on General Office, printed by the Board, pp. 47. 54.

See also Mr. Cooper's Paper, App. (B.)

they ought forthwith to be removed, it may be concluded that the sum which would necessarily be expended in the erection of a General Record Office might in the end occasion a considerable saving.

But whether such a suggestion be adopted or not, and at any rate even before it could be carried into effect, it is most desirable that one general custody over all the Records scattered through different Offices should be at once established. Your Committee is happy to see that such a proposal is sanctioned by the assent of the learned Judges, who were examined before it. There appears to be no reason why the legal custody of all Records, after a certain period (and this might, perhaps, conveniently commence within 20 years from their formation), should not be vested in the Record Commission. This is analogous to the plan which exists in Scotland; and one great advantage of the adoption of such a system in this country would be, that it would obviate the alleged necessity of having the legal keepers of the various Records on every Record Commission, in order to give its orders that effect which they ought to possess from its own authority, and not from the influence of any individual among its members.

Baron Alderson's Ev., 7643 et seq. Lord Lyndhurst's Ev., 8193 et seq. Mr. Justice Littledale's Ev.

The superintendence of the business of arranging, classifying and calendaring the Records, and the regulation of the Offices and the fees, appears to be of such a nature as cannot be safely entrusted to any one, to whom it is not assigned as a duty, and who is not paid for performing it.

Mr. Allen's Ev., 7321.

In suggestions handed in by Mr. Allen, it is proposed that the duty of superintending the arrangement, &c., should be discharged by a salaried Inspector acting under a Commission like the present. But it does not appear to Your Committee that it would be wise to entrust this most important business of the Commission to a subordinate person; or that it would be likely to be at all the better done, for being in any way subjected to a large number of unpaid Commissioners.

It appears to Your Committee that this business should be entrusted to one person, or at any rate to a very small number; that these persons should be paid, and should be not subordinate to, but members of the Commission. The payment of adequate salaries to one, two, or even three Commissioners, might be speedily saved out of the salaries now given to the keepers of various Offices. At any rate, if the business entrusted to a Record Commission be worth the doing, it is worth the paying for, in order that it may be well done. Gratuitous neglect in the management of public business, is the result of a most unwise economy.

Mr. Cole's Ev., 7909.

To such paid Commissioner or Commissioners the general superintendence of the affairs of the Commission, the management of its finances, the care of its funds, and the appointment of Sub-Commissioners and others in its employ, might properly be entrusted. Under such circumstances, a further saving might be effected in the salary of the Secretary, who receives at present 500 *l.* a year, besides allowances which Mr. Protheroe says (incorrectly, according to the Secretary) raise the whole annual expense of the office to 1,200 *l.* or 1,300 *l.* A clerk, or Secretary at little more than a clerk's salary, would suffice for the business which, under such salaried Commissioners, such subordinate officers would be required to perform.

Mr. Protheroe's Ev., 2135-6-7. 7640. Mr. Cooper's Ev., 7944-5.

It appears, however, to Your Committee, that the selection of certain of the more valuable and complete Records for publication, is a work which, though it should be kept subordinate to the proper care of the whole mass of the Records, ought not to be abandoned or neglected, and might, under proper precautions, proceed simultaneously with it. This, however, is a business

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which does not, in the opinion of Your Committee, appear to require to be conducted by one or two persons alone: on the contrary, as it is a matter very much dependent on taste, and on an ampler acquaintance with various branches of learning, and with the wants and opinions of different classes of inquirers, than is generally possessed by any very small number of persons, it is probable that it would be better managed if a number of persons, possessing peculiar qualifications in different branches of legal or historical learning, were constituted into a Board, under whose sanction some of the more valuable Records might be selected and prepared for publication.

It appears to Your Committee that a new Commission might be so framed as to combine the advantage of leaving to one, or a few, such portion of the business as a small number can do better than a large; and of deriving advantage from the counsels of a larger number, in that department in which it is advisable to have the result and sanction of many opinions. It would, perhaps, not be unadvisable, in accordance with some precedents among our public institutions, to combine some paid with a large number of unpaid Commissioners. To the paid Commissioners should be entrusted the whole and undivided administration of all the business and all the powers of the Commission, with a provision that no publication should be undertaken without the whole of the Commission being summoned; and the contemplated work sanctioned and directed by their order, upon a plan to be laid before them by the paid Commissioners.

It might, perhaps, not be considered prudent to entrust the whole of so large a business to one paid Commissioner, and it might also be thought advisable that it should be entrusted to persons, each possessing an acquaintance with some particular class of Records, or being in the habit of using them either for legal or historical purposes. With this view the whole of this portion of the business might be entrusted to as many as three paid Commissioners.

It appears to Your Committee that the numbers of the Commission ought to be greatly reduced. On such a plan it would not be advisable to appoint more than eight or ten, and of these none should be placed on the Commission *ex officio*. The entrusting these duties to men merely because they have others to perform, appears to be tantamount to leaving work to be done by those, who are known to have the least time to do it in. That some of this number should be men of high station may be desirable, but there can be no advantage in limiting His Majesty's choice to the occupants of particular Offices. The whole number should be selected on account of their qualifications for judging of the value of such publications to legal and historical inquirers.

Your Committee thinks it hardly necessary to point out to Your Honourable House, that no member of the Board, whether paid or unpaid, ought on any account to receive pay for editing any of its publications, or doing any other work undertaken by its order.

It might be expedient, as a matter of precaution, that no transfer of Records from one building to another should be permitted, without previous notice given to the Judge presiding over the Court, to which they belong, and without his sanction. It would also be advisable to adopt some provision for insuring an inspection of the Records of each Court of Law and public Department, by a Judge or other head of that Court or Department; that Reports of the results of such inspection should be directed to be made yearly, and that these Judges and other public functionaries, should at all times have a power of inspecting the state of their own peculiar Records.

In the opinion of Your Committee, it will be necessary as early as possible in the next Session of Parliament, to pass an Act of Parliament for vesting in the Commission those powers, without which its further continuance would be absolutely useless.

Among these powers, it appears that a Record Commission ought to be invested with some authority over the composition of modern Records. Variations in the writing and imperfections in the materials used, which are productive of bad effects, do not appear to be sufficiently guarded against. The Records are now made up in various forms, very frequently at the caprice of the attorney. Among the Records of the King's Bench, Members of Your Committee saw one of not more than 20 years of age, which, owing to the defective character of the ink or preparation of the parchment, was almost illegible.

It appears also to Your Committee, that the Commission should be invested with the power of selecting from the great mass of Records, such as are utterly valueless, and destroying them. In almost every Office there are large masses of documents utterly useless to anybody, for any purpose. Some are of such a character as never to have possessed any interest; some are unimportant duplicates; some have been subsequently enrolled, and formed matter of record in another shape. The keeping these takes up valuable room, and imposes useless trouble. Under proper precautions, the Record Commission would do great service by destroying them.

Mr. Garnier's Ev., 1062.

The Commission should draw up as early as possible a General Report on the actual state of the Records, and of the changes it proposed to effect; which Report, as well as an Annual Report of proceedings, might, as there is as yet in this country no Minister of Public Instruction, be addressed to the President of the Council, and laid before both Houses of Parliament.

With reference to the publication of Records, Your Committee begs most particularly to call the attention of The House to some very able Reports, which Monsieur Guizot, as the Minister of Public Instruction, has addressed to the King of the French; and they refer more confidently to his opinions, inasmuch as that he is known to have united with the experience of high official situation, the most distinguished success as a writer of philosophical history. It will there be found that the scheme of publication established by Monsieur Guizot, was not limited to Ancient Records, but that all the correspondence preserved in the various offices of the French Government, of an earlier date than the close of the Succession War, has been declared public; and that a large collection of despatches referring to the origin and progress of that war, copiously illustrated by Monsieur Mignet, is in course of publication, and is stated by Monsieur Guizot to throw an entirely new light on many points of history.

It appears to Your Committee from the Evidence it has received, and from the best consideration it could give to the subject, that our Government should not remain behind in this course of liberality. It is aware indeed, that on special application, access is at present given to our State Paper Office, and that some of its earlier contents have been published; but it is of opinion that with a view to increased facility of access, and to unity of proceeding in publication, the permission of His Majesty should be requested that all State Papers, not later than the conclusion of the Peace of Utrecht, and probably as late as the Accession of George the Third, should be placed in the custody of the Record Commission, whereby a primary saving would also be effected for the general objects of the Commission.

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The plan, however, of Monsieur Guizot, was by no means limited by the public origin of ancient documents, but comprised all the Ancient Chronicles and other writings which throw light on the civil, intellectual and social history of France. A similar undertaking was recommended by an Address of the House of Commons, and referred to the Record Commission in the year 1822. The execution of a work entitled the "Materials of the History of Great Britain," was committed to Mr. Petrie, whose zeal and acquirements undoubtedly fitted him for the task, but Your Committee regrets to find that the state of his health, and the natural difficulties of the subject, have prevented him from as yet publishing even the first volume of the work. Your Committee, looking to the unanimous Evidence which they have received as to the present defective state of our National History, particularly in the earlier periods, and coupling therewith the declarations of the most competent Witnesses, that if there exist at this time a person qualified by talent and character to supply so great a National deficiency, as the absence of an authentic history of our country, the inaccessibility of the sources of that history, would render it hopeless for him to undertake a work of so much public importance, recommends most strongly and confidently to The House, that the execution of this National undertaking should be resumed at once with renewed vigour, and with such increased number of editors and literary assistants as may be necessary, and that a Special Grant should be yearly voted by Parliament, of such amount as may suffice to ensure its completion at the earliest period, consistent with the correctness and completeness of its execution.

Mr. Rowley Lascelles.

The Petition of Mr. Rowley Lascelles, which was referred to Your Committee by The House, relates to a subject not directly connected with the more immediate object of its inquiries. It involves a question of agreement of a somewhat complicated and obscure nature, on which Your Committee must abstain from expressing an opinion, at a period of the Session which prevents a thorough investigation of the particulars.

15 *August* 1836.

PROCEEDINGS OF THE COMMITTEE.

Mercurii, 29° *die Junii*, 1836.

Mr. CHARLES BULLER in the Chair.

Mr. Pusey.	Sir Charles Lemon.
Sir Robert Inglis.	Mr. Charles Williams Wynn.
Dr. Bowring.	Mr. Charles Villiers.

Motion made (by Sir *Robert Inglis*) and question put, "That Witnesses having been duly summoned before this Committee this day, they be called in, and the examination pursued." Amendment proposed (by Dr. *Bowring*), To leave out from the word "That," and to insert the following: "Mr. Cooper be called in, and requested to state to the Committee on what points he desires witnesses should be examined."

Question put, That the words proposed to be left out stand part of the question.

Ayes, 2.	Noes, 4.
Sir Robert Inglis.	Dr. Bowring.
Mr. Charles Williams Wynn.	Mr. Pusey.
	Sir Charles Lemon.
	Mr. Charles Villiers.

Mercurii, 3° *die Augusti*, 1836.

Mr. CHARLES BULLER in the Chair.

Dr. Bowring.	Sir Robert Inglis.
Mr. Pusey.	Sir Charles Lemon.

Resolution proposed (by Sir *Robert Inglis*), "That the Report having been delivered in Draft to the Committee not sooner, as to the first 20 pages, than on Saturday last, the 30th of July, and the remaining 28 pages not sooner than Tuesday, the 2d of August, viz. yesterday, and the said Draft professing to contain an analysis of Evidence extending, in above 8,000 questions, over nearly 750 pages, and referring to such Evidence in no less than 386 specified places, besides others incidentally noticed, and the Appendix, to which frequent reference is made, not having yet been printed for the use of the Members of the Committee, it is not possible for this Committee, in justice to the subject matter of the inquiry intrusted to them, which involves the character and the fortune of individuals, as well as the reputation of a public body, and the interests of the country in a large expenditure of public money, to come to any Report upon this subject, and that it is sufficient to lay the Evidence on the Table of the House."

Consideration postponed.

Veneris, 5° *die Augusti*, 1836.

Mr. CHARLES BULLER in the Chair.

Mr. Pusey.	Sir Charles Lemon.
Dr. Bowring.	Mr. Hawes.
Sir Robert Inglis.	Mr. Charles Villiers.

Resolution proposed (by Mr. *Hawes*), "That a member of this Committee having read a communication from Sir Francis Palgrave, commenting on the Draft Report presented to the Committee, and it appearing to this Committee also that a printed paper of observations on the Report alluded to had been circulated, which was produced, this Committee is of opinion, that such a proceeding is a breach of the usage of Committees of this House in such cases, and that it is highly inexpedient in the slightest degree to sanction it." Amendment proposed, (by Mr. *Pusey*,) To leave out the words after "That," and to insert the following words,—"Sir Francis Palgrave be now summoned before the Committee."

Question

Question put, " That the words proposed to be left out stand part of the question.

Ayes, 3.	Noes, 3.
Mr. Hawes.	Mr. Pusey.
Mr. Charles Villiers.	Sir Robert Inglis.
Dr. Bowring.	Sir Charles Lemon.

The Chairman gave his casting vote in the negative.

Question put, " That Sir Francis Palgrave be summoned before this Committee." Amendment proposed (by Mr. *Hawes*), To leave out after the word " That," in order to insert the following words,—" The Draft Report presented to the Committee having been submitted to Sir Francis Palgrave, and amended in consequence, it is the opinion of this Committee, that in order to do justice to other witnesses, the Report in question be submitted to such as shall desire to see it, if they shall think fit, with a view to amend such questions as shall personally affect themselves."

Question put, That the words proposed to be left out stand part of the question.

Ayes, 3.	Noes, 3.
Dr. Bowring.	Mr. Hawes.
Mr. Pusey.	Mr. Villiers.
Sir Charles Lemon.	Sir Robert Inglis.

The Chairman gave his casting vote in the affirmative.

Question again put, " That Sir Francis Palgrave be summoned before this Committee."

Ayes, 2.	Noes, 4.
Mr. Pusey.	Mr. Hawes.
Sir Charles Lemon.	Mr. Charles Villiers.
	Dr. Bowring.
	Sir Robert Inglis.

Motion made (by Dr. *Bowring*), " That the Draft of the Report be now taken into consideration." Amendment proposed (by Sir *Robert Inglis*) to leave out from the word " That," in order to insert the following words,—" Under the circumstances of the case, as stated in the Resolution proposed to the Committee on the 3d instant, it is not expedient to proceed with the consideration of the Draft of the Report."

Question put, That the words proposed to be left out stand part of the question.

Ayes, 5.	Noes, 1.
Mr. Hawes.	Sir Robert Inglis.
Mr Charles Villiers.	
Dr. Bowring.	
Mr. Pusey.	
Sir Charles Lemon.	

Sabbati, 6° *die Augusti*, 1836.

Mr. Charles Buller in the Chair.

Mr. Pusey.	Mr. Hawes.
Dr. Bowring.	Mr. Charles Villiers.

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Veneris, 26° die Februarii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Dr. Bowring.
Mr. Pusey.	Sir Charles Lemon.
Sir Matthew White Ridley.	Mr. Charles Villiers.
Mr. Williams Wynn.	Mr. Jervis.
Mr. Hawes.	Sir Robert Inglis.

MR. CHARLES BULLER IN THE CHAIR.

Charles Purton Cooper, Esq. called in; and Examined

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1. The *Chairman.*] HAVE you got any copies of the Record Commission?—I have got one copy of the Commission.

[*It was handed in, and the Chairman read the material parts of it.*]

2. You are the Secretary to the present commission, are you not?—I am.

3. When was that commission established?—The date of the commission is the 12th of March 1831.

4. You were not connected with the previous commission, were you?—Not at all.

5. Are there any objects comprised in the present commission different from those of the previous commission?—The present commission specifies, in addition to the objects which are specified on the former commissions, certain inquiries into the duties of persons having the custody of Records, their emoluments, and the regulations of their offices; I will state the passage which is not in any of the former commissions: "The commissioners are to make full, diligent and particular inquiries into the duties of the several officers, clerks and other ministers having the care, custody or management of the public Records in all their several departments, and into the salaries, fees and other emoluments and perquisites received by such officers, clerks, ministers and other persons, and also into the rules, usages, and regulations of the several Record offices, and other repositories of public Records, and the general course of business therein, and all matters connected therewith; and also to inquire whether any and what reforms, alterations, amendments and improvements may be beneficially introduced therein, and how such reforms, alterations, amendments and improvements may be best carried into effect."

6. Does the commission provide the mode in which these objects are to be accomplished?—No, it merely directs inquiries.

7. As to the objects?—The commission provides the mode in which the Records are to be methodized and regulated, copied, bound and secured, calendared and indexed, and certain of them printed, namely, by the appointment of sub-commissioners.

8. Can you state to the committee the means taken by the board, and the names of the officers specified by the commission, for the performance of the duties of the commission?—I am perfectly prepared to state all that has been done by the commissioners under that particular head, of methodizing and digesting, sorting, repairing, binding, &c.

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9. But without confining it to that particular head, can you give the Committee the names of the persons forming the board, the number of times which the board met, and the dates of the meetings?—Yes, I will produce the account next time I come.

10. By whom are the meetings of the board appointed?—The meetings of the board have generally been appointed first of all by Lord Brougham, when he took the most active part in the affairs of the commission; in the next place, by Lord Canterbury; and latterly, the meetings have been appointed after communication with the present Speaker.

11. Do you mean to state that the meetings have always been summoned by the authority of one of the commissioners?—The usage of the old commission, as I have been informed, was, that whenever there was any business to transact, the secretary issued a summons, after communicating with two or three of the commissioners, who were in the habit of attending, in order to know whether the day would be convenient to them.

12. Then the secretary, in fact, calls the meetings on those particular days?—I rather believe this was the custom.

13. Now, will you confine yourself entirely to the new commission; in the new commission has the practice been, in fact, for the secretary to call the meetings and to fix the days of meeting?—I have very rarely called a meeting without personally communicating with one of the quorum commissioners; whenever there was any business to transact, I have generally seen one of the quorum commissioners, in order to know whether it would be convenient to him that we should meet, and at what day and hour, and at what place.

14. But, occasionally, you have called boards without the authority of any of the commissioners?—Certainly not; there could be no meeting for business unless a quorum commissioner attended. I could not, therefore, well have called a board without previously communicating with one of the quorum commissioners, to know whether it would be convenient for him to attend.

15. You said before, that you "very seldom" called a meeting without the consent of the commissioners?—I was endeavouring to recollect what had been the usage in the early part of the commission, when Lord Brougham was chancellor. I had access to his private room, and I may possibly sometimes have communicated with one of his officers, instead of his lordship. If I found that Lord Brougham would be at Westminster, then I may have called a meeting in his private room there without his immediate direction, inasmuch as I was sure he would be present.

16. When the board met, what was the order of its proceedings?—The answer I am about to make is confined to the period since June 1832; it was in June 1832 that the commissioners directed that the Agenda should, previouly to the meeting of the board, be printed, and sent round to the different members of it. It was on the 16th of June 1832 that such order was made. The Agenda states the business to be transacted, and it has been always transacted in the order of the Agenda. The Agenda are arranged by myself, but occasionally I have received from one of the commissioners some notice of motion, which has been incorporated by me in the Agenda.

17. But the business to be done by the board was generally arranged before by yourself in the Agenda?—Generally, I should say always.

18. Mr. *Hawes.*] Which was sent to all the commissioners?—Yes.

19. Without distinction?—Yes, including the commissioners, who are such by virtue of the offices they hold.

20. The *Chairman.*] Does not His Majesty's Commission direct that the works to be methodized, regulated, &c., and the making calendars and superintending the printing, shall be executed by the sub-commissioners?—It does.

21. Is there any special form of appointing sub-commissioners?—The only instance of the appointment of a sub-commissioner since I have been secretary, is the appointment of the Rev. Joseph Hunter.

22. Then the Rev. Joseph Hunter is the only sub-commissioner that has ever been appointed by the present commission?—Yes, Sir Francis Palgrave was appointed by the old commission.

23. But he is a sub-commissioner under the present commission, is he not?—Both Sir Francis Palgrave and Mr. Hunter are sub-commissioners under the present commission.

24. But

24. But the Rev. Mr. Hunter is the only sub-commissioner that has been appointed?—Yes.

25. Mr. *Williams Wynn.*] Was not Mr. Petrie appointed?—Mr. Petrie was appointed the principal sub-commissioner upon the materials of the History of Britain by the former commission.

26. The *Chairman.*] Have the persons in the employment of the board any other means than by a communication from yourself of knowing that they are appointed sub-commissioners?—They have not, of knowing officially.

27. Has the board ever appointed sub-commissioners without functions?—Mr. Hunter was appointed without any mention of functions.

28. Have the commissioners ever appointed a person as sub-commissioner without specifying any particular duties for him to perform?—Mr. Hunter, as I have already stated, was appointed by a resolution of the board a sub-commissioner, and that resolution did not specify what duties Mr. Hunter was to perform.

29. You will observe, that in the first Annual Report by the old commission of 1801, there is given a form at great length for the appointment of sub-commissioners for particular purposes; now, has that form been at all adhered to, or any thing similar to it, in the present commission?—I am not acquainted with the forms observed by the former board in this respect; Mr. Hunter's appointment took place on the 22d of June 1833, he being already in the employ of the board. The resolution is to this effect:—"The Reverend Joseph Hunter. Resolved, That the Reverend Joseph Hunter be appointed a Sub-commissioner."

30. That was the whole order, was it?—Yes.

31. In what capacity was he employed by the board before?—I think at that period he was engaged on the Valor Ecclesiasticus; but I am not sure whether it was in writing the Preface to the Valor, or in making some collation of the printed text with the record.

32. Do you consider that the board is allowed by the commission to direct their works; the words are, "methodizing, regulating," &c. specified in the commission to be done by the sub-commissioners, to be performed by any other agency than that of the sub-commissioners, or some other agency directed by the commissioners?—I can only state to the Committee what was the usage of the former commission, which usage has been observed by the present commission. Looking at the words of His Majesty's Commission, it may at first view appear that every person employed in methodizing and regulating the Records is to be considered a sub-commissioner by virtue of the work upon which he is engaged; now if that be the case, it should follow that every clerk, workman and labourer in the employ of the board, although only receiving ten or twelve shillings a week, is a sub-commissioner; but Mr. Caley informed me, that the former commissioners had never regarded any person as a sub-commissioner unless he had been appointed such by a special order of the board, and that the persons who were engaged either as clerks or workmen at monthly or weekly wages, had never been looked upon in any other light than that of persons who might be hired one month or week, and discharged the next. There are between 20 and 30 persons in the service of the board as clerks, workmen and labourers.

33. Then are the works of methodizing and regulating the Records performed by the sub-commissioners?—I should say in two instances these operations have been superintended by sub-commissioners. Sir Francis Palgrave was formerly, if I recollect right, engaged in arranging certain of the Tower records; subsequently, and since he was appointed Keeper of the Records of the Chapter House, he has superintended the methodizing, regulating and repairing the records of that repository. Mr. Caley was a sub-commissioner under the old board, and continues to be such under the new. He was similarly engaged at the Augmentation Office, at the Rolls Chapel, at the Duchy of Lancaster Office, and at the Chapter House.

34. Are the Committee to understand that the greater part of these works were carried on by persons who are not sub-commissioners, and that you have only one sub-commissioner now employed in it?—The persons in the employ of the board may be divided into three or four classes; the first sub-commissioners, of whom there are two now in actual employment.

35. Which of these is employed in methodizing and regulating?—Sir Francis Palgrave alone. There are three classes; first of all there are two sub-commis-

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sioners in actual employ, Sir Francis Palgrave and the Rev. Joseph Hunter; there is a third sub-commissioner, Mr. Thomson, of Edinburgh, who was appointed by the old board; but the works in Scotland have been suspended since 1831; Mr. Petrie is, or rather was, a fourth sub-commissioner; his work has been taken out of his hands. Mr. Caley was also a sub-commissioner. These are all the sub-commissioners strictly speaking; but the term has been very loosely used by me, for I have been in the habit of calling all the editors sub-commissioners.

36. You have been in the habit of calling them all sub-commissioners; do you mean in writing or conversation?—I think it very likely both in conversation and in letters.

37. You have said that the only mode in which the appointment of a sub-commissioner was ever communicated to him was by yourself?—It is not my appointment, but that of the board, which, however, can only be communicated through the secretary.

38. Then the only notice that a sub-commissioner would get of his appointment would be by a communication from you?—The only official and regular notice could, I apprehend, only come from me, as secretary and the organ of the board.

39. But if, as you say, you were in the habit of calling people sub-commissioners in your own communications with them who were not sub-commissioners, how were they to know that they were not sub-commissioners when you so called them?—I called them so inaccurately; we are many of us liable to use words improperly; speaking of editors and other persons in the employ of the board, persons of a rank higher than common copying clerks, I have no doubt I often designated them as sub-commissioners; I recollect it has been done on more occasions than one.

40. Was it the usual mode you adopted in your communication with them to call them sub-commissioners?—I should say it was not the usual mode.

41. These gentlemen performed the duties specified in the commission to be performed by sub-commissioners; they were placed at the head of the business specified as intrusted to them; you call them sub-commissioners in your communications with them; now, do you not think, putting all these circumstances together, that it was natural for them to suppose they were in fact sub-commissioners?—It is very possible that some of them may have supposed they were sub-commissioners, but I have more than once, when I found them styling themselves sub-commissioners, pointed out the inaccuracy of the expression.

42. Can you say you have always done so when they have so styled themselves?—Probably not always; but I recollect one instance at the present moment, that of Mr. Black, who had caused to be printed upon one of his portfolios "Sub-commissioner of Public Records;" and upon seeing the inscription, I remarked, "Mr. Black, you are not a sub-commissioner; but it is of no consequence how you style yourself." I never conceived that any question could arise upon the use of the word.

43. Do you not know that a question of great importance arose upon it, and which recent events has brought into operation, namely, that the power of removing a sub-commissioner is only placed in one of the board?—With reference to the subject to which you are now alluding I would observe——

44. Do you not admit that it is an important distinction?—I admit that inconvenience has been occasioned by the loose use of the term sub-commissioner: the next class of persons in the employ of the board are the editors or compilers of particular works, records or manuscripts; they are employed for the purpose of compiling and passing through the press and performing other usual editorial duties, and upon publication the engagement with the board terminates.

45. Mr. *Hawes.*] Will you state who are the editors?—That depends upon the works which are in progress; I must look at the Returns to Parliament to enable me to answer the question correctly and fully.

46. The *Chairman.*] Will you mention some of the principal ones?—There is Sir Harris Nicolas, he is the editor of the Acts and Ordinances of the Privy Council; Mr. Thomas Duffris Hardy has the task of editing the Rolls of King John, and the earliest of the other Rolls in the Record Office at the Tower of London; Mr. Charles Roberts is engaged in editing the Excerpts from the Fine Rolls at the Tower, and the Calendarium Hærderum; Mr. William Henry Black edits the Docquet Book of King Charles the First at Oxford. I think those gentlemen are all the editors now employed; but the names of all the sub-commissioners, editors, transcribers, clerks, and workmen, may be seen in the Returns to Parliament.

47. These

47. These editors are not engaged by the board, are they?—They are all engaged with the sanction of the board.

48. Are they engaged directly by the board, or by yourself?—By myself, generally; I commonly make the arrangement with them, subject to the sanction of the board.

49. Do you make a formal communication to them of the arrangement as sanctioned by the board, or do you transmit the order of the board?—In some instances, whenever it has been required, the order of the board has been transmitted to them; sometimes the communication has been by word of mouth, and sometimes by a common note or letter.

50. You were in the habit of calling these editors sub-commissioners, were you not?—Yes, I believe often; I have often, as I am told, called Mr. Hardy a sub-commissioner. Until late events, no importance at all was attached to the term, and perhaps that was one reason why no distinction was drawn between sub-commissioners, editors and the principal clerks.

51. Has it occurred, in many instances, that you have engaged for the editing of a work merely by a parol engagement, or by a note?—Several times.

52. Mr. *Jervis.*] Has it happened that you have engaged individuals to edit works, and that you made the agreement with them without communicating with the board?—All such engagements have been *de bene esse.*

53. Have you made that engagement finally with the party?—Only conditionally, supposing the board should sanction it.

54. Then the engagement is made with the party, you entering into the terms of it without communication with the board, subject to a subsequent approbation by the board?—Yes.

55. And that subsequent approbation you say has not always been communicated to the party with whom the contract was entered into?—It may not have been formally communicated; but I apprehend that no instance can be produced in which it has not been communicated by word of mouth or note.

56. The *Chairman.*] How long a period has ever elapsed, in your recollection, between the conditional engagement and the ratification of the engagement by the board?—That must depend upon the intervals that there were between the meetings of the board. Those intervals have sometimes been a week or fortnight, and sometimes several months.

57. Has it ever been for so long a period as six months?—No; the board, I believe, was never so long without meeting. In the multitude of transactions, however, some arrangement may, for a time, have escaped my attention, and I may by possibility have omitted to bring it forward in due course, but I am not aware of any instance of that sort.

58. Mr. *Jervis.*] The question is this: you enter into a conditional engagement with an editor, which cannot be communicated until the next meeting of the board, and occasionally there has been an interval of six months between the meetings; now does the editor enter upon the work before the engagement is ratified by the board?—I do not believe that any person has been engaged for six months upon any work conditionally before the arrangement was ratified by the board.

59. But there are instances of a man having been engaged upon a work by a conditional engagement, without the sanction of the board, for a period of six weeks?—I am not aware that there is any instance of that kind. The engagement has been made, and a specimen set up by the King's printer conditionally, and if any thing further has been done, it has been done conditionally.

60. The terms upon which you have made the agreement with the editor have been conditional; now, when that agreement is ratified, is the ratification of it entered in the proceedings of the board?—It is an original entry that the work shall be printed. Perhaps I can explain the cause by an example, which now occurs to my mind: I thought it doubtful whether the board would sanction the printing of the Acts and Ordinances of the Privy Council; it was understood between Sir Harris Nicolas and myself that he should be the editor of that work; he did so' provided that the approbation of the board could be obtained; I cannot tell what time elapsed between the arrangement entered into between Sir Harris Nicolas and myself and the meeting of the board, but at the subsequent meeting of the board that arrangement was stated, explained, and the order of the board was procured. I believe, however, that the work had, in the meantime, been commenced so far as putting a sheet or two in type, but I have only a vague recollection upon the subject.

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61. The conditional agreement having been entered into between you and the editor, when it is subsequently recognized by the board, is it entered as an employment by the board of the editor?—I can, with little trouble, if necessary, furnish the Committee with the orders made for the publication of every work. I should imagine the entry would run in this form: "Produced a proposal by Sir Harris Nicolas, to print the Privy Council Records. Ordered, That Sir Harris Nicolas be authorized to edit and print this work, under the authority of the board."

62. The *Chairman.*] Now will you go to the third class?—The third class are the clerks and transcribers; Mr. Caley had clerks in his employ; Sir Francis Palgrave had and has clerks in his employ; Mr. Hunter has a clerk, Sir Harris Nicolas has a clerk, Mr. Black has clerks, and Mr. Stevenson has clerks. There is a fourth class of persons in the employ of the commissioners; the clerks and transcribers make the third class, as I have just stated, and the workmen and labourers who are employed in the washing, cleaning and repairing of the records, form the fourth class.

63. With what work were these clerks intrusted; were they intrusted with such work as the commission specifies as the work of sub-commissioners?—The clerks?

64. Yes; for instance, was any person whom you call a clerk intrusted with the work of methodizing the rolls, and superintending and editing the works?—I am not aware of any clerk being employed to edit any work, *quâ* clerk in his character of clerk.

65. There was a specific engagement of him as editor?—Yes; I mean independent of his employ as clerk: it has happened that a clerk receiving a fixed salary has, during his extra hours, been authorized to edit a work.

66. Is any clerk intrusted with the business of repairing and sorting the records without superintendents?—The person who has been most occupied in that department is Mr. Charles Gay; he has been more than twenty years in the employ of the board. All the most important operations with reference to cleaning and repairing and sorting the records have been carried on by him and workmen under him: those operations have been carried on at the Chapter House, at the Augmentation Office, at the Rolls Chapel, and at the Duchy of Lancaster Office. At the Rolls Chapel and the Duchy of Lancaster Office the workmen have of course been controlled and overlooked by the keepers of the records in those offices. Mr. Caley also, during his life, superintended the work in the two last-mentioned repositories, as of course he did in the office of which he was keeper.

67. Has any person whom you call a clerk ever been intrusted with the management of the business of methodizing and arranging records?—Yes, Mr. Cole.

68. Mr. *Charles Villiers.*] Was Mr. Cole a clerk?—Yes, Mr. Cole was a clerk: I ought to state to the Committee that a question was raised lately whether he was a sub-commissioner or a clerk; that question was brought before a board, which met at the Chancellor of the Exchequer's, and it was then decided that Mr. Cole was a clerk.

69. *Chairman.*] But Mr. Cole had been intrusted with the business of arranging and methodizing the records?—Yes, even during Mr. Caley's life-time he was intrusted with the operation of methodizing and arranging in certain offices the records which were in the course of being cleaned, repaired and bound, but subject to the control of the keepers of the records.

70. Who was the keeper of the records which Mr. Cole was intrusted with?—Mr. Caley; but upon his death the keepership of the Augmentation Office Record remained vacant.

71. Then, in fact, Mr. Cole, who was the clerk, was intrusted with the whole management of this business?—Upon Mr. Caley's death, a question arose in consequence of an omission in the Act of Parliament, remodelling certain departments of the Exchequer, as to the right to the custody of the Augmentation Office Record. Mr. Vincent, as King's Remembrancer, claimed to be keeper; but the board was unwilling, for reasons which I need not now state, to give up to that officer the possession of records in the sorting, cleaning, repairing and binding, of which so much time and money had been bestowed, and an application was made to the Treasury upon the subject; the result was, that the possession remained with the board until recently. A letter, addressed by Lord Abinger to the Treasury, was read at the last meeting of the commissioners, from which it appeared his lordship is of opinion that Mr. Vincent is the legal custos of the records in question; they are now under the care of one of his officers.

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72. But Mr. Cole, being a clerk, was intrusted with the business of methodizing and arranging these records?—Mr. Cole performed similar duties to those performed by Mr. Charles Gay, as I believe.

73. Mr. *Charles Villiers.*] Was Mr. Caley the responsible person?—Mr. Caley is dead.

74. Mr. *Williams Wynn.*] But during Mr Caley's life-time how was it?—Mr. Caley, as a sub-commissioner, had the superintendence of the operations in the different offices I have mentioned.

75. The *Chairman.*] Was Mr. Cole at any time *quà* clerk employed in methodizing and arranging the records?—He was; the arrangement under which Mr. Cole had the direction of the work was temporary until such time as the question could be settled whether Mr. Vincent was the legal keeper or not.

76. How long did this temporary arrangement last?—From Mr. Caley's death, which took place in the month of April 1834, until Mr. Cole's discharge in December last.

77. Mr. *Jervis.*] Was Mr. Cole employed in the Augmentation Office under Mr. Caley?—Yes.

78. Are you sure of that?—I am; during Mr. Caley's life-time the principal operations were carried on at the Augmentation Office; Mr. Cole and Mr. Charles Gay were the persons who directed those operations, and Mr. Caley superintended as regards all the records I have mentioned.

79. Are you certain of that?—I am; Mr. Cole was first employed in sorting, &c. the records of the King's Remembrancer's Office.

80. The *Chairman.*] Under whose superintendence?—I consider I was responsible for Mr. Cole's performance of his duty.

81. Was it under your active superintendence?—No; if the Committee will allow me, I will state what I recollect of the first employment of Mr. Cole. The records were removed from the wooden shed in Westminster Hall to the King's Mews some time in the summer of 1832: I was aware of the great historical and archæological value of the miscellaneous records in the King's Remembrancer's department; and whilst the removal was in progress, I applied to several officers of the Exchequer, and, among others, to Mr. Vanderzee, a sworn clerk, and who had formerly been a sub-commissioner, Mr. Adlington, one of the side clerks, and Mr. Trickey, the bagbearer, to undertake, under the authority of the board, the sorting and cleaning of these records, which they did, and the work was carried on until winter, when Mr. Vanderzee and Mr. Adlington discontinued their operations: at this time I was not quite satisfied with their progress, and Mr. Robert Thomson, another side clerk in the Exchequer, having introduced himself to me, I proposed that he should accept a similar employ to that of Mr. Vanderzee and Mr. Adlington, which he willingly did, declining, however, all remuneration for his trouble; and it being too cold to work at the King's Mews, the records were taken a small portion at a time in sacks to the house in Boswell Court, where the operation of cleaning and repairing was carried on for several weeks, probably for several months, I am not quite clear as to the time. I think it was about the spring of 1833 when Mr. Cole, who had left the service of Sir Francis Palgrave, occurred to me as a person who might be exceedingly useful in assisting in the work that was then going on, and he was accordingly engaged as a clerk.

82. Engaged by you as your clerk do you mean?—Yes, to assist in the work.

83. His engagement was only from you, and not from the board?—Yes, his engagement was from me; as well as I recollect, Mr. Cole was employed for some weeks in Boswell-court; when the fine weather came, I rather think the operations were transferred again to the Mews; soon after that time,—I may be wrong, but I can only state these matters to the best of my recollection; there are abundance of documents which will show how the fact was,—soon after that time, the permission of Mr. Caley was obtained that the miscellaneous records of the King's Remembrancer's Office might be repaired in the Augmentation Office.

84. All this was as your clerk, was it?—All this as my clerk.

85. Mr. Cole has been in fact employed for about three years?—From the spring of 1833.

86. From that time till December he was employed in arranging and methodizing the records in the two offices as your clerk?—As my clerk, I mean as the clerk of the board, engaged by me.

87. His engagement was from you?—It has always been the usage of the board for the sub-commissioners or secretary to engage the clerks and workmen.

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88. He was solely employed under your authority?—Yes; but, like all other persons paid by the board, if that authority were abused, if he were, for instance, improperly discharged, he might appeal to it.

89. Sir *Matthew Ridley.*] He was not engaged as your clerk, but as clerk of the board?—Yes, in strictness, being paid by the board, he was the clerk of the board.

90. The *Chairman.*] What object is gained by intrusting the work of methodizing and arranging the records specified in the commission to be done by the sub-commissioners; what advantage is gained by intrusting it to their clerks?—As regards four departments the work originally proceeded under the superintendence of Mr. Caley; it proceeded under Mr. Caley as regards the Augmentation Office, the Chapter House, the Rolls Chapel, and the Duchy of Lancaster Office afterwards.

91. Do you mean to say that Mr. Caley was the person who was really intrusted?—He was the person who was responsible to the board.

92. Then Mr. Caley, and not Mr. Cole, was the person who was intrusted with the arrangement of these records?—We are confounding the offices; I mentioned four offices, besides the King's Remembrancer's Office. Mr. Caley had nothing to do with sorting and repairing the records of the King's Remembrancer's Office.

93. But you admit that Mr. Cole *quà* clerk was intrusted with the business of methodizing and arranging the records?—Not until Mr. Caley's last illness as respects those offices, in which, as I have mentioned, the work was superintended by Mr. Caley.

94. Was he in a state at that time to superintend this business?—He did till his last illness.

95. Are you aware that he did really actively superintend the operation?—I have no reason to think he did not perform his duty until shortly before his death.

96. Sir *Robert Inglis.*] He died in April 1834?—Yes.

97. The *Chairman.*] Since that time Mr. Cole has been engaged as clerk of the Board, subject to your authority, for the purpose of methodizing and regulating the various records?—Yes.

98. Now what advantage is gained by intrusting this work to a clerk, instead of a sub-commissioner?—I wish to preface my answer to that question by an explanatory statement. By the usage of the King's Remembrancer's Office, the sworn and side clerks have the power of removing the records from one place to the other. It was impossible that the portions of the records which I have mentioned could, without the sanction of one of those officers, have been removed to Boswell-court. This power of removal formed the great inducement to the employ of Mr. Vanderzee, Mr. Adlington, Mr. Robert Thomson and Mr. Trickey.

99. Who did the board employ in the business of methodizing and regulating these records?—In the first instance it employed Mr. Vanderzee.

100. Was he a sub-commissioner?—He had been under the old board, but I believe he had ceased to be such for many years prior to 1831.

101. Was he at that time actually a sub-commissioner?—He was not. He has not been appointed by the present board a sub-commissioner.

102. But there are various records which have been arranged and methodized by persons who were not sub-commissioners?—They have always been under some control.

103. But never under the control of the sub-commissioners?—Not in Mr. Cole's instance; Mr. Cole was not under the control of any sub-commissioner.

104. You said that the only sub-commissioners since the present commission began, employed by the board, and recognized by the board, were Sir Francis Palgrave, Mr. Hunter, Mr. Caley, Mr. Petrie and Mr. Thomson?—Yes. Mr. Vanderzee was formerly a sub-commissioner, and Mr. Illingworth and Mr. Holbrook were sub-commissioners under the old board, and there have been several other gentlemen who have held the same appointment. But they ceased to be employed as such the greater part before the present commission was issued, and the remainder upon its being issued.

105. Since Mr. Caley's death, have any sub-commissioners been engaged in methodizing and arranging those particular records with which Mr. Cole was intrusted?—None.

106. Then since Mr. Caley's death this business has been intrusted to a clerk?—Yes, to Mr. Cole, as regards the Augmentation Office Record and the Miscellaneous Records of the King's Remembrancer's Office.

107. Sir *Robert Inglis.*] In reference to a question recently put to you as to the reason why clerks were employed to do that which by the terms of the commission might appear to be required to be done by sub-commissioners, can you state to the Committee whether, by the appointment of a sub-commissioner, the individual so appointed might be considered as retained in the service of the commission, and whether by his appointment to do a specified work, as a clerk, he might be considered as released on the one hand, and the commission as released on the other, from any engagement beyond the discharge of that work?—The motive for appointing editors and clerks, instead of appointing sub-commissioners for the performance of a particular work was, that the editors and the clerks would be released and discharged upon the performance of the particular work upon which they had been engaged, whereas the sub-commissioners were considered to be in the permanent employ of the board.

108. Do you consider that in addressing gentlemen as sub-commissioners, when by no special order of the board they were appointed to be sub-commissioners, you only indulged in an act of courtesy to them, or that by your own authority you conferred station upon them?—It was a careless expression, and I never supposed that any importance would be attached to the use of it.

109. Sir *Charles Lemon.*] Are you sure they understood it so?—I cannot answer for their understanding of it: Mr. Hardy, who was engaged to edit certain records at the Tower, has, it appears, been called by me a sub-commissioner; but I do not think that he could have supposed, from my use of the word, that he was in the permanent employ of the board; he seems to have considered that he was a sub-commissioner, but he could only consider himself to be such for the purpose of editing the works intrusted to him.

110. The *Chairman.*] Why could not Mr. Hardy have imagined that he was retained as a sub-commissioner, and liable only to receive his dismissal from the board?—As editor he was only liable to be dismissed by the board.

111. Has he not imagined, in fact, that he was a sub-commissioner?—Mr. Hardy in a memorial, which he printed, and which was brought before the board that met at the Chancellor of the Exchequer's, has stated that he conceived himself a sub-commissioner.

112. Did not the same mistake, for pretty much the same reasons, appear to have influenced Mr. Cole's mind?—Mr. Cole, in one of the pamphlets which he has addressed to The Speaker, claimed to be a sub-commissioner, upon the ground, if my memory be correct, that in conversations with himself and others, and that in a letter written to one of the commissioners, I had styled him a sub-commissioner.

113. Sir *Matthew Ridley.*] Do you mean to state to the Committee, that the styling them sub-commissioners was at all times and upon all occasions merely considered by you as a means of addressing them, without conveying the idea that they were actually the sub-commissioners, under the control of the commission?—I did not on any occasion use the term sub-commissioner, as importing that the person so denominated held any permanent office under the board; the term was merely used to describe them as being engaged in some work or operation carrying on at the public expense, and under the authority of the commissioners.

114. Mr. *Jervis.*] In a Return to The House of Commons on the 13th of August 1833, there is this passage: "Mr. Henry Cole, under the secretary's superintendence, has the direction of the important work of cleaning, repairing and sorting the miscellaneous records of the King's Remembrancer's Office, and the whole of which, under a recent warrant of the Treasury, has been transferred to the temporary custody of the board. For some time past, too, Mr. Cole has had the direction of the work of cleaning, repairing and sorting the records in the Augmentation Office and Chapter House." Did he do so as sub-commissioner, or as clerk, or in what capacity?—As a clerk, in the employ of the board.

115. He having the direction of them?—Yes.

116. The Treasury Warrant limits it to those records which were transferred to the King's Remembrancer's Office, and Mr. Cole had the direction, under superintendence, of sorting those records; he also had the direction of sorting the records in the Augmentation Office, which were not transferred to the commissioners, and in the Chapter House, which were likewise not transferred to the commissioners?—During Mr. Caley's life-time, or at least until his last illness, this must have been subject to Mr. Caley's superintendence, as regards the records of the two offices, of which Mr. Caley was keeper.

117. What

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117. What is meant in the Return, which it is presumed is drawn up in the office, by the word "direction," is it that he was directed by somebody else?—No; he is superintended by somebody else.

118. The *Chairman.*] You were just now asked what was the motive with which a work was intrusted to the clerk, instead of the sub-commissioners; would not the effect be the vesting the appointment and entire control of persons employed in these works in your hands, instead of the board?—I do not consider that the effect of it was to vest in my hands both the appointment and control altogether; such, however, as I possessed, proceeded from the board; the clerks, when engaged, were the clerks of the board; and although it has been the usage that the sub-commissioners or secretary, if they see occasion, should discharge the clerks, yet in no instance have clerks been discharged by me without giving them the opportunity of appealing to the board against any improper exercise of the authority with which I was invested.

119. They have been discharged without a previous order of the board?—Yes, without a previous order of the board.

120. The effect of that arrangement was, for instance, in the case of Mr. Cole, that you appointed him and discharged him on your own authority, and not under the authority of the board, which would have been necessary if he had been a sub-commissioner?—It was; Mr. Cole, I think, was engaged by me in the early part of the year 1833; about the month of June in that year he applied to know what was the nature of the situation he held, and he was then informed that he was a clerk.

121. Sir *Robert Inglis.*] Was he informed by letter?—Yes.

122. The *Chairman.*] Was not the effect of that to vest the appointment and dismissal of a person intrusted with those works in your hands, instead of the hands of the commissioners, in whose hands alone both the appointment and the dismissal would have been, if that had not been the case?—The consequence of a person being appointed as a clerk by the secretary, instead of his being appointed a sub-commissioner by the board, is of course that the secretary has the power of dismissal in the case of the clerk, but which he would not have in the case of a sub-commissioner.

123. Is the order of the board obtained before any works of transcription or printing are commenced?—Always before any works of printing are commenced, unless it be a specimen.

124. Was an order of the board obtained before the printing of the following works: Rotuli Selecti, the Pipe Roll, and the Privy Council books?—Yes, unless there has been a specimen.

125. The first volume of the Close Rolls?—Yes.

126. The selection from the miscellaneous Records of the Exchequer?—There is no such work: what has been styled by some persons a selection from the miscellaneous Records of the Exchequer, is nothing more than an Appendix to the proceedings of the board, and which proceedings of the board there is an order to print. It is not an independent work.

127. Do you retain copies of all the correspondence which passed in the name of the board?—I have copies of all the letters I have written.

128. Is all the correspondence addressed to the board brought before the notice of the board?—No, not a hundredth part.

129. Now, for instance, has the correspondence of Mr. Vincent, the King's Remembrancer, upon the subject of the Augmentation Office in 1834, been submitted to the board?—Some portion of it has.

130. Has the whole of it been submitted to the board?—Certainly not; I mean the whole of my correspondence with Mr. Vincent has not been formally laid before the board: like much other correspondence, there were no points in it upon which it was requisite to take the orders of the board.

131. Was the correspondence with the Treasury in 1834 on the subject of the accounts submitted to the board?—It was acted upon, but I do not recollect that it has been laid before the board. The contents were known to most of the commissioners, and the suggestions contained in the Treasury letters would be adopted as a matter of course, at the proper period.

132. Have you got the order of the board which authorized the printing of your work and public records?—It was made at the board of the 22d of August 1831; it is in these words: "The secretary stated, that with the approbation of the Lord Chancellor, he had commenced a compilation, drawn from the published works of the

the commission, the various Reports of both Houses of Parliament, beginning with the Report of the Lords' Committees in 1719, the Minute Books and a considerable manuscript collection in his hands, the design of which was, to show, in a short space, the nature and particulars of the different works printed or transcribed under the direction of the commission, as well as to give some details respecting the principal kinds of records, their use, repositories, &c., and that he proposed to print such compilation in an octavo form, as cheaper and more convenient for use than the folio form, hitherto adopted in the Reports, &c. of the commissioners. The secretary stated, he conceived that such work, with a short supplemental volume, would supersede the necessity of any general report, such as the commission had formerly been in the habit of making, the printing of which had cost several thousands of pounds." It was then ordered that the secretary be at liberty to continue and complete such compilation, and to cause the same to printed.

133. You compiled this gratuitously, did you?—Yes.

134. How long were you engaged upon it?—I should think nine months.

135. In the preface to that work, I think there was a passage in which you state you consider the arranging and methodizing of the records as the primary object of the commission, and the printing as a minor object?—I dare say there is.

136. How do you reconcile the fact of the small amount bestowed on the arranging and methodizing, and the large amount bestowed on the printing?—From the different natures of the works; editing and printing are most expensive operations, whilst that of washing, cleaning, flatting and sorting is a chief one.

137. Are the records of all the public offices arranged and in good repair, excepting the Exchequer, Augmentation, Pell Office and the Chapter House?—In many of the inferior Record Offices, where the records are of little or no value, they are, probably, in a state of indifferent repair.

138. But not having personally looked to this, you have no certain knowledge?—The board has received Returns from all of the offices: those Returns were made, for the most part, in the course of the years 1832 and 1833. It is principally from those Returns that my information is derived, except as regards those offices in which are valuable records.

139. Mr. *Hawes.*] Will you specify the offices in which the records are of little comparative value?—I could not specify them, unless the Committee gave me an opportunity to refer to the Returns. I cannot do it at present.

140. Can you specify some of them?—Some of the bankruptcy offices and the inferior offices of equity and common law in the neighbourhood of Lincoln's Inn and the Temple.

141. The *Chairman.*] Have you not personally inspected them?—I have at different times seen most of them.

142. Do you feel any doubt that the arrangement is very unsatisfactory?—I should be very unwilling to express an opinion upon any of the record offices without having an opportunity of inspecting the Returns.

143. Mr. *Hawes.*] In those offices in which the records of the greatest value are kept, are they well arranged and methodized, and have they been repaired and cleaned by this commission?—The proceedings of the board will show what has been done with reference to all the great offices. The great offices, the offices in which are records of the highest historical and legal value, are the record offices at the Tower, the Chapter House, the Rolls Chapel, the Duchy of Lancaster Office, the Augmentation Office, the Duchy of Cornwall Office, the King's Remembrancer's Office, including the late offices of the clerk of the Pipe and the Lord Treasurer's Remembrancer, the late office of the clerk of the Pells, the late offices of Auditors of the Land Revenue for England and Wales, and perhaps one or two others.

144. Are they in a satisfactory state both with reference to the preservation and the method in the office?—If they were all in a satisfactory state, there would be no occasion for the board to continue the work of repairing and binding, which is still proceeding, and, I apprehend, must proceed for some years.

145. What has been done by this board in reference to the preservation and methodizing of the records in those offices?—I can state that to the Committee from papers which I have here.

146. The *Chairman.*] Are the records arranged and in good repair in the Tower?—Mr. Stevenson is now employed in sorting and arranging the miscellaneous records in the Tower.

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147. But generally are the records in the Tower in a good state of arrangement?—I never have had any occasion to consult myself personally the records there for historical or legal purposes; but I have at different times visited the Tower, and have seen no reason to blame the arrangement, save and except as regards certain miscellaneous records.

148. Being secretary to this commission, and intrusted with considerable authority by the commissioners, can you not say whether the records, which are the most numerous and valuable in the kingdom, are well arranged or not?—The records in the Tower are esteemed to be well arranged, with the exception of the miscellaneous records, and the attention of the board has been in consequence directed to the latter, and the operation of sorting and arranging them is now proceeding.

149. What is doing with regard to the arrangement of the records in the Tower; how many people are employed, and at what rate does the work go on?—I have Mr. Stevenson's quarterly reports here, which will show exactly the state of the operations at the Tower.

150. You cannot say, from your own knowledge, without referring to papers, what is the quantity of unsorted or ill-arranged records at the Tower, what number of persons are employed in sorting and arranging them, at what rate the work is proceeding, and in what time it will probably be completed?—I can state who are employed there, but I cannot give the other details, without referring to the papers I have here.

151. Mr. *Hawes.*] Can you state to the Committee what repairs are now actually going on in the Tower; what records are being arranged?—I am not aware that any repairs are doing; the work is confined to sorting, and arranging, and calendering; repairs may be done occasionally; but none of the workmen employed in reparation are at present at the Tower.

152. The *Chairman.*] The Committee are to understand that the board at present has no one employed in arranging and sorting the records at the Tower?—The board has three persons employed in sorting and arranging, there were lately four, as the Returns to Parliament will show; one has left very recently. Mr. Stevenson is the responsible person.

153. Is the arrangement of the records in the Lord Treasurer's Remembrancer's Office good?—I am not aware of any defect, but there may be some as regards the miscellaneous records; I cannot state positively that this is the case without an inspection of the last Return.

154. In the Pipe Office is it good?—The principal repository in which the Pipe Rolls are kept, is one of the very worst I have seen.

155. Are the records properly arranged there?—There is no difficulty in finding any one.

156. Mr. *Jervis.*] Who is employed in the Pipe Office?—Nobody is actually paid.

157. Was not Mr. Panton employed in arranging them?—He was employed either in repairing or arranging them.

158. From what time up to what time?—I should think he was employed about twelve months.

159. The *Chairman.*] Did he not arrange the great roll at the Pipe Office?—There is no arrangement; there was some change made, but I do not at this moment distinctly recollect what it was; the rolls of the pipe are large, and are placed on racks, in the order of the years of the reigns of the different kings.

160. They are in good order, are they?—Yes, but in a bad repository.

161. They were arranged by Mr. Panton, were they not?—They were repaired by him, but I doubt whether they were arranged by him; I cannot say, without reference to the proceedings of the Commissioners.

162. Mr. *Jervis.*] Why did not Mr. Panton continue those duties at the Pipe Office?—I am not aware that there was any duty of this kind which it was necessary should be continued.

163. The *Chairman.*] Are you not aware that nine-tenths of the records are in the greatest confusion imaginable?—The miscellaneous records of the Pipe Office may possibly be in a confused state, but the great rolls of the pipe are not.

164. Would you deny, if it were asserted that about nine-tenths of the whole records in the Pipe Office are in a state of the greatest confusion, and wholly unarranged?—The greatest part of the records in the Pipe Office consist of the great

great rolls of the Pipe, and I consider them to be well arranged and accessible, but mostly deposited in an improper place.

165. Is it not a correct statement, that the great roll of the Pipe is not above one-tenth of the whole records?—I should doubt very much whether there are any records of any importance in the office, except the great roll of the Pipe.

166. The Pipe roll has been arranged by Mr. Panton?—On recollection, I am disposed to think the Pipe rolls were arranged by him; there was certainly a change in the locality of some of them.

167. Why is not Mr. Panton going on arranging those records, which you say are in a state of confusion?—I did not say they are in a state of confusion; I said the miscellaneous records might be; but I cannot tell, without reference to the proceedings of the board.

168. Why was the arrangement of the records at the Pipe Office suspended?—I believe because the work is completed, as far as it can be with regard to all valuable records.

169. Were no obstacles raised by any dispute relative to the respective authorities of the commission, and the keeper of that office?—The work which was suspended, and on which Mr. Panton was engaged, was the transcription of some of the Pipe rolls; the suspension took place in consequence of the gentlemen in the Pipe Office requiring to be paid 6 *d.* per folio, instead of 4 *d.* per folio for the copy.

170. Why did not the commissioners get persons who would work on more reasonable terms, if the work was a desirable one?—The reason is simply this: the Board has generally been disposed to employ the persons in the office; some of the persons in the office were willing, if I recollect rightly, to work at 4 *d.* per folio, and others objected to receiving so small a sum, but no arrangement could be come to. It so happened that it was, for other reasons, inconvenient to proceed with the publication of the Pipe rolls, and, instead of entering into a tedious discussion with the Exchequer officers, it was thought more expedient to suspend the work, and especially as there were abundant other works which it was equally important to prosecute; and the funds at the disposal of the board were not sufficient for all the purposes.

171 Mr. *Jervis.*] Mr. Panton was an officer in the Pipe Office?—He was, in the late Pipe Office.

172. Was he not employed in the double capacity of arranging and also of transcribing?—I am now inclined to think he was originally employed in arranging; but if the Committee would permit me to consult the minute book, my doubt upon this point would be cleared up. After the arrangement of the great rolls I think he sorted the miscellaneous records, and it was not until he had gone through the different sacks and bags where the miscellaneous records had been deposited, that he began to transcribe. The impression on my mind is, that the work of arranging and sorting was completed as far as was requisite, or as it could be, regard being had to the repository.

173. The impression on your mind was, that Mr. Panton had completed?—Yes, and then there was a dispute respecting the rate for transcription. I should state that this dispute arose upon a change in the custody of the records, when the Act which abolished the office of Clerk of the Pipe came into operation.

174. Were not both the operations of arranging and transcribing suspended at the same time?—I think only the operation of transcribing; I think that of arranging was complete, but I am by no means sure.

175. Was not that in consequence of a personal quarrel which you had with Mr. Panton?—I never had a quarrel with Mr. Panton; I never heard such a thing suggested before.

176. The *Chairman.*] Was it not in consequence of some dispute which arose?—No, except that I declined on the part of the board to pay 6 *d.* per folio to the Exchequer copyist.

177. Was it not one of the most important duties, that if obstacles were raised by the keepers of the public offices, that they should take measures to remove them?—There is no doubt that it is one of the most important duties of the commission to remove such obstacles, and if it had been requisite at that particular time to proceed with the publication, the board I have no doubt would have done its duty. But that was not requisite, and all the circumstances and looking at the question pending with the head of the same department, respecting the augmentation records, it was deemed more expedient to suspend the work. That

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course was approved by Lord Canterbury, and I am not aware that the public service has in any way suffered by the adoption of it.

178. How did Mr. Panton perform his duties?—Mr. Panton performed his duties in an able manner; I do not remember to have heard any complaints made of his transcripts.

179. During that period, by what means did you obtain access to the King's Remembrancer's Office when you wanted it; was there not some difficulty about getting at the records; how did you obtain access to the records?—According to the constitution of the King's Remembrancer's Office, every one of the sworn and side clerks were not only the keepers of the records, but had the power of removing them. Mr. Vanderzee, Mr. Adlington and Mr. Thomson being of the number of these clerks, could of course give all the access required. I never heard of any difficulty being made as to these records. Mr. Vanderzee, Mr. Adlington and Mr. Thomson no doubt had the sanction of the King's Remembrancer, express or implied. In his interviews and correspondence with me, Mr. Vincent made no objection. The misunderstanding was of a subsequent date, and as to other records.

180. Was the arrangement at the Chapter House and the Pell Office conducted by the commission?—At the Chapter House the keeper is a sub-commissioner.

181. And is that arrangement conducted by him?—Yes, and he makes reports to the board.

182. Is he paid for that by the commission?—He is paid partly by the commission and partly by the Treasury, under a special minute made by the Lords of the Treasury, at the suggestion of the Board when he was appointed.

183. Mr. *Jervis.*] With respect to the Chapter House, and the arranging and methodizing the records there, is not the expense of that with respect to the Chapter House now paid by the Treasury, independently of this commission?—In consequence of an application which has been made by Sir Francis Palgrave to the Stationery Office, a considerable portion of the expense of repairing and binding has been defrayed by that department. He made the application with the view of relieving the funds of the commission from part of the charge upon them.

184. Has not an amount exceeding 1,600*l.* been laid out in the last two years in the repairing of the records at the Chapter House, and has not that been paid by the Treasury, and not by the commission?—I am not aware of the amount. Sir Francis Palgrave stated to me originally, that the Stationery Office had agreed to allow 200 *l.* a year towards the expense of repairing the records of the Chapter House.

185. Was not that a principal part of the duty of the commission, this very item which the Treasury paid?—Certainly, the work which is performed by the Stationery Office is of a description similar to a portion of that which is performed by the commission; but the Committee will recollect that the work is necessarily superintended by Sir Francis Palgrave, and that his clerks assist in preparing the records for the repairers and binders.

186. The *Chairman.*] They are not paid by the Treasury?—They are partly by the Treasury and partly by the commission.

187. So that the arrangement is carried on partly under the Treasury and partly under the commission, and besides the 1,600*l.* which has been spent by the Treasury, something more has been spent by the commission?—I do not know that 1,600*l.* has been spent by the Treasury, but something has been spent by the commission; I consider the work as proceeding under Sir Francis Palgrave and his clerks, except that the business of repairing and binding is done out of the office, and a part of the expense defrayed from another source.

188. Mr. *Jervis.*] Is there not also an annual sum paid by the Treasury for arrangement at the Pell Office?—Sir John Newport has informed me, that all the expense of arranging the records at the late office of Clerk of the Pells will be paid by the Treasury or the Stationery Office.

189. By whom is it superintended?—By Mr. Frederick Devon.

190. Is he a sub-commissioner?—He is a clerk at the Chapter House, and is employed by Sir John Newport during extra hours.

191. You do not employ any person at the Pell Office?—Our workmen have been employed in repairing the Pell Records during extra hours; I believe, too, that we have furnished parchment for the Pell Office.

192. Is that an office in which there are valuable historical records?—There are there valuable historical records.

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193. The attention of the commission, then, has never been directed to that office?—Yes, more than once; but the clerks and workmen were fully occupied in other departments. Upon Sir John Newport obtaining the approbation of the Treasury to his having the records of his department repaired and arranged, the board recommended him to employ Mr. Frederick Devon, during extra hours, to perform that work; Mr. Devon, with Sir J. Newport's permission, makes occasional reports to the board.

194. The *Chairman.*] What is the system or mode of arrangement pursued at that office?—It is impossible for me to answer the question without reference to papers which I have not with me.

195. Do you know in what way the records of the Chapter House are arranged, according to what system; are they classed according to the year, or according to the nature of the document, or how?—I can only refer the Committee to the Returns to Parliament, or the Reports of Sir Francis Palgrave, for an answer to the question.

196. You have never examined it?—I have been in the Chapter House repeatedly.

197. You are not familiar with the system?—The keeper or his clerks are the only persons who can afford information upon such a subject.

198. Now, in the Augmentation Office you have mentioned that the records were under the superintendence of Mr. Cole?—They were, after Mr. Caley's death, in Mr. Cole's care.

199. Mr. Cole has arranged a great many documents there, has he not?—Yes.

200. Is his system of arrangement the same as Mr. Caley's?—I believe not; I have understood from Mr. Cole that he had made some alteration in the system of arrangement.

201. Can you explain the difference?—I cannot, without inquiry.

202. You have stated in the Return, that Mr. Cole conducted the operation there under your superintendence?—Yes.

203. What is meant by the word "superintendence"?—The board has the temporary care of the records. Mr. Cole was the clerk of the board, but acting under me, and not under a sub-commissioner: I considered that I was responsible to the board for Mr. Cole's correct performance of his duties, and upon all doubtful points he was bound to consult me.

204. Did he consult you frequently as to the arrangement?—He repeatedly consulted me upon various points, but principally with reference to expenditure; at first he made weekly, and afterwards monthly reports to me.

205. About how often, while Mr. Cole was conducting this arrangement under your superintendence, did you visit the office, to know how he was carrying on the work?—During the time the Court of Chancery was sitting, the Rolls Court being beneath, I frequently went into the Augmentation Office, to see what was going on; but I do not consider it necessary that I should do so often.

206. What is the meaning of the term "superintendence" in the Return to Parliament; was it such a superintendence that you at all really controlled Mr. Cole?—The superintendence was rather with respect to the expenditure than any thing else; the workmen's wages were paid by me weekly; all the binders' bills were also paid by me.

207. Then Mr. Cole might have arranged them any how for any control you had over him?—Yes, he might possibly have adopted a very bad plan, and I not have discovered it; but it was not likely that the public service would receive any injury of this kind, as I have been in the habit of communicating from time to time with different persons who had access to the office for literary and legal purposes, and were much more capable than myself of judging of the merits or defects of Mr. Cole's operations; all such persons as I recollect to have spoken to on the subject, express their approbation of Mr. Cole's mode of proceeding.

208. He is not now superintending any arrangement?—No.

209. Is that operation stopped in consequence of that?—The operations are proceeding much as they proceeded before, with the exception of calendaring.

210. Who has succeeded Mr. Cole?—Mr. Charles Gay continues to perform all his ancient duties.

211. Does Mr. Gay follow the same system of arrangement as Mr. Cole followed?—I cannot answer that question without communicating with Mr. Gay.

212. Is Mr. Gay a sub-commissioner?—He is a workman in the employ of the board?—He is a sort of foreman.

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213. You do not call him a clerk?—No, I do not.

214. Is he a man of education?—I can show the Committee his reports; from those I conclude he must have had a fair education.

215. Do you know whether he can read the old records?—He is sufficiently conversant with the records to distinguish their different species, and to sort them; I do not know whether he can read them.

216. Does it not require a man of considerable antiquarian, and even legal knowledge to arrange records?—It may to arrange them, but not to sort them.

217. Mr. Cole arranged the documents in the Augmentation Office according to their classes, and he also arranged them according to a topographical arrangement, and according to the year; now is Mr. Charles Gay a person capable of superintending such a systematic arrangement as that?—I do not know whether he is capable of arranging them in years.

218. Would you say he was capable of superintending the topographical part?—He could sort them into counties.

219. Mr. Charles Gay still continues there?—Yes.

220. So that at present the arrangement of the records in the Augmentation Office is carried on by a mere workman of the commission?—It is not the final arrangement. The work which is now carrying on at the Augmentation Office is principally that of cleaning and repairing, and sorting; Mr. Gay is as capable of this as any man living.

221. When the different documents are bound up into a book, is not that a final arrangement?—I am not aware that any have been bound recently. I directed that all binding should be discontinued. The Speaker advised me to avoid all expenditure at the present moment that can be conveniently avoided.

222. But the work is still going on?—Yes, that portion is going on that could beyond all doubt be conducted by Mr. Gay; I have no hesitation in saying, that what is doing now is as well done as it ever was.

223. Did you not say that Mr. Gay was not competent to the business of arranging records according to their years?—I doubt whether he is competent to do so; but I am not sure how that is.

224. Then, in fact, the final arrangement of the records at the Augmentation Office has been suspended since Mr. Cole's dismissal?—Yes, it has; but this suspension is attended with no inconvenience.

225. Did not other persons previously commence the Exchequer arrangement before Mr. Cole?—Yes, Mr. Vanderzee, Mr. Adlington and Mr. Robert Thomson were all at different times engaged in the work.

226. Why was Mr. Cole sent to supersede them?—Mr. Vanderzee, in the first place, from his age, made very slow progress in the operation; Mr. Adlington being engaged during the sittings of the Court of Exchequer, only worked at intervals; and Mr. Robert Thomson discontinued the work, for a reason I never was able to discover, until lately. It was not, however, intended that Mr. Cole should supersede him, but he was to be Mr. Thomson's coadjutor: Mr. Thomson took offence, as it now appears, at Mr. Cole being employed.

227. Now in the Agenda, at page 10, the secretary is informed that the Pipe rolls were in June 1832 in a very damp state; what steps did the board take to remove that?—I cannot answer that question, except by reference to the proceedings.

228. Do you know that any thing has been done to remedy that?—I do know that something was done.

229. It was suggested in January 1831 to remove them to the Rolls house, was it effected?—It was not, because there was no room.

230. Mr. *Charles Villiers.*] There is a very bad arrangement in the Rolls Chapel, is there not?—The repository is inconvenient; but there are no unarranged records; any record asked for can be found. The records, too, on the roof, are liable to suffer injury, from being alternately exposed in the summer to great heat and in the winter to damp.

231. The *Chairman.*] In the Agenda it is mentioned that in January 1832 some persons perceived the parchment of two or three rolls so exceedingly damp, that they were apprehensive of taking cold in their hands; those are in the Pipe Office?—I believe there is somewhere a statement of dampness in the Pipe rolls; but I remember nothing about taking cold in the hands.

232. In a subsequent part a hope is expressed that the Pipe rolls will, before another winter, be placed in some more secure and commodious spot; during the three

three years and a half that have elapsed since this time, have the Pipe rolls remained in the same situation?—They have not all remained in that situation, although the contemplated removal to the Rolls house did not take place. *C. P. Cooper*, Esq. 26 February 1836.

233. Where have they been removed to?—The earliest, (being of course the most valuable) Pipe rolls, were removed at the suggestion of the board from the vaults, under the eastern side of Somerset House, to a room beneath the old Pipe Office in the north side of Somerset House; and they were, when I last saw them, in a most excellent state.

234. When was this done?—Since the present board was appointed.

235. Mr. *Jervis*.] Was it within a year or two?—I should think it must have been done within the first two years after the commission was issued.

236. The Report in the Agenda is on the 7th of July 1832; perhaps you can turn at once to the date when they were removed?—No, I cannot; it must have been within a short time afterwards; because it is now, I believe, more than two years since Mr. Panton was employed by the board, and the removal was effected by him, and reported to me in writing.

Lunæ, 29° die Februarii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Hawes.
Sir Matthew White Ridley.	Mr. Pusey.
The Right hon. C. W. Williams Wynn.	Sir Charles Lemon.
Mr. Charles Villiers.	Sir Robert Inglis.
Dr. Bowring.	Mr. Wyse.

MR. CHARLES BULLER IN THE CHAIR.

Charles Purton Cooper, Esq., again called in; and further Examined.

Mr. *Cooper*.] ACCORDING to the direction of the Committee, I now produce a statement of the days of meetings of boards and committees of the commissioners, from March 1831 to December 1835, together with the names of the commissioners present. The Committee will perceive, on looking at this statement, that during the first two years both the boards and committees were much more numerous than subsequently. The reason is, that during that period the commissioners were engaged in very special inquiries upon the nature of certain works then in the progress of publication. The number of meetings of boards and committees during the time I have just mentioned was about fifty. In connexion with the same subject, I beg leave to be permitted to read to the Committee the titles of certain Reports prepared by the committees of the board, and which were printed, together with certain letters written by individual members of the board, respecting the works and operations in prosecution, and which were also printed. There are a great number of unprinted reports and papers, to which I shall probably have occasion, if the Committee will allow me, to refer by-and-bye, and which relate to the present head of investigation. The reports and letters of which I am now about to read the titles, have been all printed for the private use of the commissioners, and to facilitate the performance of the duties which they had undertaken. The first is, "The Report of the Committee on the utility and expediency of collecting and publishing the Constitutional Records, from the Conquest to the accession of King Edward the First;" it is signed by Mr. Wynn, Mr. Allen, the late Sir James Mackintosh, Mr. Hallam, and Sir Robert Inglis. The second is, "The Report of the Committee on the mode of remunerating the Sub-Commissioners," and to that are affixed the signatures of the late Lord Dover, Mr. Justice Bosanquet and Sir Robert Inglis. A third Report (and it was a very elaborate one) upon the calendars of the proceedings in Chancery in the reign of Queen Elizabeth, was framed by Mr. Brougham, Sir Robert Inglis and Mr. Hallam; and there was a fourth Report, being a Survey of the principal Repositories of Public Records, by Sir Robert Inglis and Mr. Hallam. There are, besides, two letters; the one, a letter from the Right Reverend the Bishop of Llandaff to the Right honourable the Speaker, upon the Parliamentary Writs; and the other, a letter from Mr. Protheroe, one of the Commissioners, addressed to the secretary, upon the continuation of the Parliamentary Writs. *C. P. Cooper*, Esq. 29 February 1836.

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237. *Chairman.*] Have you any corrections or statement to make respecting the evidence which you gave on Friday?—I have many omissions to supply, and have some mistakes to correct. One of the first questions that was put to me was respecting the mode of summoning boards, and I ought to have stated that there was an order made on the 11th of June 1832, by virtue of which the secretary is enjoined to summon a board upon a requisition signed by a quorum and two other commissioners. I forgot that order at the time a question was asked upon the subject of summoning boards. The next point upon which I request the favour to be allowed to make a brief addition to my former evidence, is as to the mode adopted with regard to the conditional engagement of editors, and the subsequent ratification of such engagement by the board. I mentioned the case of Sir Harris Nicolas, as illustrating what had been the usage. I find, upon referring to the Agenda, that this case will supply almost all the information which the Committee seem to require. In the Agenda, page 311, there is this statement: "Acts of the Privy Council. The ensuing remarks on the acts of the Privy Council were some time since sent by Sir Harris Nicolas to the secretary, who has *ventured* to instruct the King's printer to put into type a specimen of the earliest of these documents." The Agenda, as the Committee are aware, were printed for the use of the board, and sent to every commissioner. When the matter came before the board, the following order was made: "Acts of the Privy Council. Produced the remarks on the acts of the Privy Council, printed in the notes of business; the secretary stating, that he has instructed the King's printer to put into type a specimen of the earliest of those documents. Ordered, That Sir Harris Nicolas be authorized to proceed with the printing of this work, under the direction of the board."

238. What is the date of that?—The 1st of June 1833: another point, upon which I am particularly desirous of giving some explanation, relates to that part of my examination in which I was called upon to give an opinion upon the qualifications of Mr. Charles Gay. I am sorry to say that I have done that person great injustice; I was examined as to his capability of arranging records chronologically and topographically. Questions were also asked me as to the final arrangement of the records, and as to binding. I have procured information upon the subject of Mr. Charles Gay's qualifications; and I trust the Committee will allow me to state the substance of a letter which I have received from him. He says, "In answer to your questions, I beg to state that it is now 28 years since I first went to Mr. Caley, and I frequently attended and assisted him in his searches (and made many without him, which is well known to record gentlemen) from that date; but for the last 17 years I have been employed in sorting and arranging as to date, counties, &c. in this office, and superintending the repairing here and in various other offices. I had drawn out a statement of my labours, which I beg particularly to draw your attention to, relative to the arrangement of the records in the Augmentation Office, pointing out that the principal arrangement is done on my own plan, and is in fact my own doing, and I beg to send it herewith." The statement which Mr. Gay here mentions is an extremely material document, with reference to the question to whom the credit of the mode of arranging the records in the Augmentation Office is due. The letter continues, "With regard to binding the records, it has been by your direction discontinued, to save expense. But I continue to sort and arrange as usual. I may here add, that although not able to translate Records, I have been in the habit for many years of occasionally making official copies for Mr. Caley, to be produced in evidence."

I thought it due to this individual to obtain other testimony as to his abilities, and I will read a short extract from a letter of Mr. Charles Devon upon this subject. Mr. Devon says, "I have frequently heard Messrs. Grimaldi, Hewlett, Illingworth, Dr. Wilson, Messrs. Gage, Freeth, Lemon, Cox, and many others, capable of forming a correct judgment, speak in praise of Mr. Gay's intelligence and general usefulness in the office." He further says, "I believe Gay has made nearly every search in that office for the last four years. I do not intend to state that Mr. Gay is a good scholar, or can, off-hand, read any Latin document in the office, though from his mechanical knowledge of records there are few he could not copy, and, under the able direction of the late Mr. Caley, he is conversant with the nature and contents of most. As to the ancient English documents, however difficult or abbreviated, he is perfectly competent to copy, and to my knowledge has copied many thousand folios for the late Mr. Caley." Mr. Frederick Devon, in a letter I have received from him, makes this statement: "It must be near 30 years since Charles

Gay

Gay first went to Mr. Caley, and he has always assisted him in his searches at the Augmentation Office from that early period, and for more than 15 years he has been constantly employed in sorting, arranging and mending the records of that office, and in repairing the documents of this and other record repositories; and it used to be Mr. Caley's pride to show the masterly manner in which many were done by him at the Chapter House; and I should say, from his vast experience (although an uneducated man) no one is more capable of sorting records, chronologically and topographically, than he is; nay, more, he has often made official copies for evidence for Messrs. Hewlett, Illingworth and others, who, I am quite sure, would gladly give evidence of his fitness: Mr. Grimaldi says, he is a most intelligent man. The arrangement at the Augmentation Office is, I believe, chiefly Gay's, which you will find by a statement drawn up by himself." It explains the difference between the old arrangement and the new, and satisfies me that when I was last examined I did not do this honest man justice.

[*The statement, which consisted of two papers, was delivered in.*]

239. In whose hand-writing are these documents?—They are copies. But I have here certain original documents in Mr. Gay's hand-writing; since I was under the painful necessity of discharging Mr. Cole, Mr. Gay has made monthly reports, of which these are copies. [*The copies of Reports were delivered in.*] I also produce, for the inspection of the Committee, the originals I received from Mr. Gay. I also beg leave to produce another document: Mr. Charles Gay during Mr. Caley's illness was directed by me to make weekly reports. I had forgotten that circumstance; and I am sure, when the Committee see by-and-bye the mass of business this commission has transacted, they will not be surprised that a practising barrister who forgets the contents of his brief when he has pleaded his cause should have forgotten some matters of this kind. Mr. Charles Gay was directed by me to make weekly reports, and he made weekly reports of the records cleaned, pressed, &c. Those reports extend from the 22d of June 1833 to the 12th of April 1834, the time of Mr. Caley's death, and the number of documents in the Augmentation Office, which during that period underwent those operations, amount to not fewer than 24,921. In explanation of the discontinuance of the binding, I may observe, that it took place partly from a desire to save expense at the present unsettled period, and partly from a doubt existing in my mind whether Mr. Charles Gay was altogether competent to select the documents to be finally arranged and bound together. Whatever doubt may be fairly entertained as to the binding, I am satisfied, however, as to Mr. Gay's sufficiency as regards the arrangement.

[*A copy of the weekly Reports, from June* 1833 *to April* 1834, *was handed in.*]

240. Then it appears, from your account, that Mr. Charles Gay has, in fact, been doing the business of a sub-commissioner, and is perfectly competent to do it?—Mr. Charles Gay is, from the inspection of these documents, I believe, perfectly competent to clean, to sort and to arrange the records in the Augmentation Office.

241. Is he competent, in your opinion, to methodize and arrange the records?—I do not understand what methodizing means as apart from arranging. Another point upon which I ask the indulgence of the Committee to give some explanation is this. It seemed to me, on looking over my evidence, that there might be an impression upon the minds of some members of the Committee, that in consequence of some careless, some inaccurate expression of mine, used either in letters or in conversation, I had produced an impression upon Mr. Cole's mind that he was a sub-commissioner, and perfectly independent of me. Now, that that was not the case, I can satisfy the Committee in a moment. Mr. Cole has printed a pamphlet addressed to The Speaker, upon what he calls the conduct of Charles Purton Cooper, esq., Secretary to the Commissioners on the Public Records. In that pamphlet, at page 35, is a letter addressed by Mr. Cole to me on the 23d of June 1833, a few months after he came into the employ of the board and myself. He says, "It is of importance to me, both present and future, to ascertain my exact position and prospects under the Record Commission, and I am sure that my requesting explicit information upon the following subjects will not be taxing your kindness too heavily. I assume that I am an agent of some description engaged with Public Records, whether I am called a clerk or sub-commissioner, or any other name is perfectly indifferent to me; but it is very desirable that I should know whether as such an agent, I am employed directly by the board, or whether I am

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acting under your own individual authority and responsibility; and as a consequence, whether I am dischargeable only by an order of the board, or whether by yourself at your pleasure. Further, whether on the supposition that I am or should be disposed to quit my present occupation, what length of notice is requisite; and again, whether such notice is to be given officially to the board, or merely personally to yourself; and also, what notice I am to expect in the event of my services being no longer needed. Thus much, in respect of my position, I feel myself fully justified to request information upon." On the next day, the 29th of June 1833, it appears by his pamphlet (page 37), that I sent him this letter:—"Dear Sir; You were lately a clerk of Sir Francis Palgrave, at a salary, as well as I recollect, of 125*l.* a year. You now fill a similar situation under the secretary, but your salary has been raised to 150*l.* per annum. What is the precise authority that the secretary may possess over you, and the other clerks in a similar situation, I will not pretend to determine, having never given the subject a thought; nor do I apprehend circumstances are likely to arise that will render a decision of this question necessary. And if it be of any importance to you, permit me to observe, you should have mentioned it at the time when I engaged you." Then comes an immaterial passage, and then I continue in these words: "Of the utility of your labours it can hardly be necessary to remind me, as my unceasing exertions had for many months before you had touched a record in the Mews been used to obtain access to that repository; but whether your labours merit a greater remuneration than you at present receive, I do not mean to determine; any representation, however, that you wish to make shall be laid before the next board, if you will be so good as to forward it to me." There are two other letters of Mr. Cole printed in the same pamphlet, from which I must read extracts. The one letter is dated 1st July 1833, and is in reply to my letter of the 29th June. In it Mr. Cole says, "I beg to acknowledge the receipt of your letter of the 29th ult., and although I regret that I find therein little of the information I sought, I am willing to believe you gave me such as, under present arrangements of the commission, you were able to do. Perhaps you will allow me to add an observation or two to yours, that I was lately a clerk of Sir F. Palgrave, at a salary of 125*l.* per year, and that I now fill a similar situation under the secretary, but my salary has been raised to 150*l.* a year. The apposition of these facts seems to show a bettering of my position," &c. &c. The other letter is dated July 8, 1833, and contains these passages: "I am fully sensible of your kind and voluntary offer to lay before the board any communication I may desire to make, and which offer I readily now accept, I humbly submit to the consideration of the board the propriety of fixing some definite remuneration for the operations which have been confided to my care, to methodize, regulate and digest the records, rolls, instruments, books and papers, stated in His Majesty's Commission to be its primary object; and such operations, which are now performing upon the records of the Exchequer in the King's Mews, I have the honour and pleasure to superintend by your appointment," &c. I conceive it to be wholly unnecessary to make any observations upon the extracts of the letters I have just read.

242. How many Record Offices are there in London, or in the country at large, the documents in which come within the province of the commissioners?—The whole of the repositories which were the subject of the inquiries of the Select Committee of the House of Commons of 1800 on the Public Records of the Kingdom, come within the scope of the present commission, as it has been always construed.

243. Do you know how many of those there are?—Not without counting them.

244. Can you tell about the number?—No, I cannot, without reference to the volume which I see now in the hands of a member of the Committee.

245. Has the commission taken any part with regard to the records in the Rolls Chapel?—Yes.

246. In the Duchy of Lancaster Office?—Yes, in the Duchy of Lancaster Office it has.

247. The Augmentation Office?—Yes.

248. The Tower?—Yes.

249. The Pipe Office?—Yes, the late Pipe Office.

250. The Chapter House?—Yes.

251. The King's Remembrancer's Office in the Exchequer?—Yes.

252. And

252. And the Pell Office?—Yes, the late Pell Office.

253. Has it done any thing with regard to the records in the King's Bench Office?—With reference to the records of the King's Bench Office nothing has been done except a transfer of records from the present Rolls Court at Westminster to the Rolls House, Chancery-lane, and the demand of a return to the circular questions of the board. I am not aware that any thing more was possible or requisite.

254. Has it done any thing with regard to the Lord Treasurer's Remembrancer?—The board has had various communications with Mr. Foxton, who belonged to this office, now abolished; without referring to my papers, I cannot state what the commission has done there.

255. In the Land Revenue Office?—The commissioners have had several reports as to that office in reply to inquiries they have made.

256. The Welsh Auditor's Office?—That is incorporated with the Office of Land Revenue for England. The board some time since applied to the Treasury to appoint a keeper of the records of the United Offices of Land Revenue for England and Wales. I forget the date of the Act of Parliament in which a change was made in these offices; there is now a legal custos.

257. The Exchequer of Pleas?—In Old-square, Lincoln's Inn, nothing can be wanting there.

258. The Common Pleas?—Mr. Hewlett some time ago had the politeness to communicate a copy of a very long report. I know of nothing there that requires the interference of the board.

259. The Duchy of Cornwall?—Returns and reports have been received from the Duchy of Cornwall Office, and some copies have been made there.

260. In the First Fruits Office?—I do not recollect whether any return has been received from that office.

261. There are some small Chancery offices; the Petty Bag Office, has any thing been done there?—There is a full return from the Petty Bag Office, which I have here; most of the Chancery offices have made Returns.

262. What is the name of the keeper of the Rolls Office?—Mr. Leach.

263. Is he appointed by the Master of the Rolls?—He is.

264. Who is superintending the operations under the commission in that office?—Mr. Palmer, the principal clerk at the Rolls Chapel Record Office. I beg leave to read an extract of a letter from him, dated the 4th of July 1833: in it, in answer to a question from me, whether it was necessary that there should be any other superintendence over the workmen there, he says, "I do not think there is the least necessity for any further superintendence than is exercised at present."

265. Is he a clerk in the Rolls Office?—He is the principal clerk in the Rolls Chapel Record Office.

266. So that he is at once acting under the keeper of the office and under the commission?—He is; but he receives at present no emolument from the commission.

267. But he superintends all the work done under the commission?—There is very little work done, and for a very simple reason, the repairing is carried on in the roof of the Rolls Chapel, and there is not space to employ more than two workmen.

268. Is Mr. Palmer a sub-commissioner?—He is not.

269. In the Agenda, at page 282, there is this account of the building, in which the Rolls are kept, in a report from Sir Robert Inglis and Mr. Hallam: "Access to the Rolls, in the upper part of the chapel, is by a gallery, so narrow, that the ladder necessary to mount higher, can hardly be placed in safety. On the ground-floor are the patent rolls, in a spot so dark, that no one can see to read any one there, and a candle is properly not allowed. They can be removed, therefore, only by guess, matured into habit. On the ground-floor are also some of the early close rolls. In a narrow passage, round this room, are inquisitions *post mortem*, scarcely accessible." Is that a correct description of the state of the room in which those records are kept?—It is, as well as I recollect, a correct description of parts of the Rolls Chapel, where the records are kept.

270. What is the date of that report?—March 1833.

271. Is that their present condition?—It is.

272. It would not, therefore, be inaccurate to describe that building as dark, inconvenient and crowded?—That is a very accurate description of the building.

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273. Is it damp?—In the roof it is damp in the winter time, in the summer it is excessively hot; nothing can, in my judgment, be more injurious to the records, than that alternate exposure to damp and to great heat.

274. Are the whole of those records in the Rolls Office in situations which are fire-proof?—No fire is ever lighted in the Rolls Chapel; the building is, however, not fire-proof.

275. Are there fires in the surrounding buildings?—There are.

276. Mr. *Hawes*.] Is it divided from them by any party wall?—There are party-walls, but there is a communication between the Rolls Office, and also the Rolls House and the Rolls Chapel; there are iron doors, but the chapel would be in danger, were the houses at the end of it, in Chancery-lane, on fire.

277. Then there is no protection against any fire that may arise in the adjoining buildings?—I think if there was a fire in the adjoining buildings there would be danger of its communicating with the Chapel.

278. The *Chairman*.] Has the commission done any thing for arranging the records in this building?—The commission has taken steps to put in order a portion of the unarranged records in the Rolls Chapel; the unarranged portion is, however, very trifling.

279. How many persons has it employed since its commencement in arranging those records in the Rolls Chapel?—Mr. Palmer has occasionally been employed in arranging certain of the records in the Rolls Chapel. The workmen, of course, are not employed in arranging; they are merely employed in repairing.

280. How many workmen are there?—There are at present two; formerly there was only one. There is no room for more than two; they work in a small recess in the roof.

281. So that, in fact, there never have been above two workmen employed by the commission in the repairs?—There is no space for more than two.

282. The arrangement is entirely left to Mr. Palmer, who is not in the pay of the board, but who is a clerk in the office itself?—There is no arrangement proceeding at this moment.

283. But Mr. Palmer was at one time occupied in arranging the records?—Mr. Palmer was occupied for some short time in arranging two species of records; they are, with the exception of some miscellaneous records, the only records that I know of which were unarranged in the Chapel, and they are very few in number.

284. Are the close rolls in the Rolls Chapel arranged?—They are; I believe that all the Records in the Rolls Chapel, with some trifling exceptions, are arranged.

285. Are the Parliament Rolls, the Patent Rolls and the Confirmation Rolls also arranged?—They are.

286. Are the Parliamentary Writs arranged?—They have been repaired and bound by the present board; they are arranged.

287. Are the Privy Seal Writs bound?—The arrangement of them was commenced by the present board; I do not recollect whether it is complete.

288. Are there any miscellaneous records there not arranged?—As in other large offices, there may be some few of no moment.

289. Then there is nothing now doing in the way of arrangement, because there is in fact nothing to do?—The repairs only are now prosecuting.

290. Is not some arrangement going on upon the inquisitions *post mortem*?—The inquisitions *post mortem* are in the course of being repaired; but I am not aware that they are in the course of being arranged; I believe they have always been arranged.

291. Do you know that it has been stated in a letter or report of one of the commissioners, Mr. Protheroe, that at the present rate it will take about eight years to arrange those inquisitions *post mortem*?—I have some indistinct recollection of a letter of Mr. Protheroe's which contains that statement.

292. Do you suppose that to be an accurate statement?—I never made any calculation upon the subject, that I remember.

293. It would appear from that, that the arrangement which is even now going on will, at the present rate, take eight years to complete?—The operation of repairing necessarily goes on slow, as only two workmen can be employed; I think it very probable that it would last as long as has been mentioned.

294. Mr. *Hawes.*] Would it not be desirable that some system of arrangement should go on at the same time with the repairing?—It would be very desirable if it can be shown that any arrangement is wanting, that that should be done.

295. Could not it possibly be accomplished if a previous plan were laid down for the arrangement?—There is no space in the Rolls Chapel for any other arrangement than that which at present exists; nothing would be gained by a change of locality from one part of the chapel to another.

296. Has any plan been digested for the arrangement, so as to take advantage of it while the repairs are going on?—No plan has been suggested, because nobody, that I am aware of, ever asserted that there was any necessity for a re-arrangement of the records in that repository.

297. Sir *Matthew Ridley.*] Are the inquisitions *post mortem* arranged in any way whatever?—They are in a course of repairing; I am not certain that they are in a course of arrangement; I have always understood that they were already arranged; but I may be wrong.

298. Simultaneously with repairing and cleaning, is no system of arrangement of those records adopted?—I believe the bundles are put back in their proper places as soon as they are repaired.

299. Mr. *Hawes.*] According to any systematic arrangement previously determined upon?—I believe so, according to the arrangement that has always existed.

300. *Chairman.*] Is that left entirely to the two workmen?—No, the arrangement would be with Mr. Palmer; if there were any re-arrangement, he would be responsible for it.

301. Dr. *Bowring.*] What proportion of the inquisitions do you suppose are so arranged?—I cannot state the proportion repaired or bound; I believe all are arranged.

302. Sir *Matthew Ridley.*] If you have stated that the inquisitions *post mortem* were not arranged because there was not sufficient room for their arrangement, you have made a mistake in that statement?—I have certainly made a mistake if I have stated that the inquisitions *post mortem* have not been arranged for want of room. What I meant to say was, that from the crowded state of the Chapel, no new and different arrangement can be made of the records there; I believe the inquisitions *post mortem* have always been arranged in bundles according to years.

303. As the inquisitions *post mortem* have been repaired, they have been arranged again in the same manner in which they were previously to their being taken down for repair?—I imagine they are put back into the same places from whence they were taken for the purpose of being repaired, or into similar places. They are in bundles, and the bundles are, as I believe, chronologically arranged, and have always been so.

304. Then the Committee are to understand, that at the present moment the inquisitions *post mortem* having been repaired and cleaned, are replaced in the same situation in which they were previously to their being taken down, without any specific arrangement as to dates, times, or other particulars?—I cannot answer that question more precisely than I have already done without communicating with Mr. Palmer.

305. Mr. *Hawes.*] In fact, personally you have no knowledge?—I have no knowledge without referring to papers beyond what I may have already shown.

306. Personally you have no knowledge of the existing arrangement going on in the Rolls Chapel?—When a report is made to me, I act upon it. A fortnight afterwards I should probably be unable to state the contents of that report.

307. If the arrangement is bad, and if there be any omission or error in placing the writs, either in reference to the dates or subjects, so that they are not placed in correct order, you have no personal knowledge of it?—I do not consider that I am responsible for any error of that description, and I certainly should not discover it except from the information of persons who might have occasion to make legal or literary searches in the office; and my communications with such persons are very frequent.

308. Dr. *Bowring.*] Have any directions been given for any new arrangement in the different offices?—No special directions; none beyond general directions.

309. The *Chairman.*] By whom were the general directions given?—The general directions have been given by the secretary.

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310. To whom?—If the question still relates to the Rolls Chapel, I have given no directions to Mr. Palmer.

311. You said that you did not consider yourself responsible for the arrangements that were going on; whom do you consider responsible?—Supposing any arrangements of records were necessary at the Rolls Chapel, the commission must consult the keeper of the records there, and would probably follow his advice.

312. Suppose it was found out that the arrangements were exceedingly careless and bad, who should you say is blameable for that carelessness and neglect?—That would depend upon whether the arrangements were proceeding under the sole authority of the board, or under the superintendence of the keeper of the records.

313. The question refers to the arrangement in the Rolls Chapel of those records which are being repaired; if it should be discovered that any great inaccuracies have been committed in the arrangement, whom should you blame for those inaccuracies?—Mr. Palmer, if any arrangement were going on.

314. He is one of the keepers of the office?—He is the chief clerk.

315. Would you blame him as having been employed by the commissioners?—No, as being the chief clerk of the office.

316. Then, in fact, the commission in this office have exercised no superintendence themselves over the arrangement, but have trusted it entirely to the keeper of the office, not employed by them, and not responsible to them?—The commission in the different offices varies the kind of assistance it affords, according to the wants of the offices. If arrangement were required in the Rolls Chapel, under the existing circumstances of that establishment, the superintendence would be intrusted to Mr. Palmer.

317. Dr. *Bowring*.] To whom should you look in that office for carrying into effect the objects of the commission?—The only persons in the office over whom the board has full control are the workmen. The commission, as I hold, has little authority over the keeper.

318. The authority given by the royal commission is undoubted, is it not?—I have always thought the royal commission gave the board little authority.

319. The *Chairman*.] Is the arrangement of the records in the Rolls Office chronological?—I believe it is.

320. In what state of preservation are they?—With some few exceptions, the records are in a state of good preservation.

321. Is it not the fact, that the records which properly belong to the Rolls Office, that is, the records under the charge of the Keeper of the Rolls records, are not of very ancient date, not above 100 years old?—No, certainly not. They commence with the reign of Richard III.

322. Are the records in the Rolls Office bound?—Some of the inquisitions *post mortem*, surveys of church livings, and Returns to Parliament, have been bound.

323. Do you know at all the convenience and propriety of the shape and manner in which they have been bound?—Some objections were made a few years ago to the manner in which some of them were bound under Mr. Caley's direction, and I believe a change in the manner was introduced, but I am not sure.

324. Are you aware whether the following fact is true or not, that those records are bound up in volumes, and that when the clerks wish to copy out any of them, as it will be inconvenient from the shape in which they are bound to copy them from the book, the record is cut out and copied, and afterwards put back into the book in which it has previously been bound?—I recollect hearing a statement of that sort soon after I was appointed secretary; this perhaps was one of the reasons why a change was introduced in the manner of binding, in case any change was made.

325. Then are the Committee to understand that this system of binding has been put an end to?—If there were any thing objectionable in it, I make no doubt I put an end to it.

326. Do you know whether the clerks still cut any records that they wish to consult?—Upon reflection I doubt very much whether the story is true; if it were, I should have a more lively recollection upon the subject.

327. Mr. *Hawes*.] Does the commission bear the expense of binding?—It did.

328. And would now if there was any binding going on?—Yes.

329. Cannot

329. Cannot you state whether they are bound now as they were before?—At present there is no binding proceeding at the Rolls Chapel. The binding has been some months suspended.

330. The *Chairman.*] Are there good calendars and indexes?—The calendars and indexes belonging to the public are very defective. There are good private calendars and indexes.

331. In the report of Mr. Illingworth to the board, on the 20th of May 1831, it is stated, that out of 134 indexes belonging to this office, whereof 107 are those of the patent and close rolls, there are not more than two containing an alphabetical index of the names of the places or subject-matter granted; the public indexes being confined almost exclusively to the name of the grantees, bargainees or releasees; is that correct?—The indexes belonging to the public are imperfect.

332. Is the inference, drawn in the same report, which follows, incorrect, namely, "So that were it not for other sources of information besides the public indexes, His Majesty's subjects would be nearly excluded from all information contained in this immense body of records, the rolls themselves being upwards of 20,000 in number"?—If such statement be found in Mr. Illingworth's observations, I have no doubt of its accuracy.

333. Has any thing been done by the board to provide good calendars for the use of the public?—The private calendars which belonged to the late Mr. Kipling are capable of furnishing all the information that the public would require. The board has endeavoured to obtain them for the public.

334. Those private calendars were compiled by the officers of the office, were they not?—That is, I believe, unknown; they were purchased by Mr. Kipling from his predecessor in office.

335. Could any one not employed in the office have had an opportunity of making such a calendar?—In my opinion, it is not probable that any person not employed in the office could have compiled those calendars.

336. Then it is probable that those private calendars were compiled by persons who at the time were employed in the office at the public expense?—Not at the public expense.

337. Who were employed at salaries from the public?—They received no salaries from the public.

338. But they received fees?—They received fees.

339. Is it not true, that upon inspecting any of those private calendars an additional fee of five guineas must be paid?—I believe that is the present amount of the fee.

340. And upon consulting another, an additional fee of two guineas must be paid?—I do not know the amount of the fees. It is, I apprehend, in the discretion of the owner of the calendar, although for many years fixed rules have been adopted, according to the number and nature of searches.

341. In page 7 of the Agenda on the 30th of June 1832, it is stated, in a communication from the secretary, that upon his acceptance of the secretaryship, he was informed by the Lord Chancellor that the prosecution of the inquiries therein mentioned was the principal object of the new commission?—The inquiry into the duties of the officers, their emoluments, &c. is a principal object of the commission, as distinguished from the objects of the former commissions. But all the objects of the former commissions are embraced by the present commission.

342. Has the commission set on foot any general inquiry as to all the fees taken in the Record Offices?—The commission, at a board which met on the 20th May 1831, made the following order:—"That the secretary do prepare a series of questions to be addressed to the keepers of the repositories of public records relative to the contents of such repositories, the state of the buildings, the arrangement and condition of the records, the calendars and indexes thereto; the officers and clerks employed for the custody and arrangement of the records, their duties, salaries, fees and emoluments; days and hours of attendance, and other particulars; the number of searches, certificates and copies yearly made in the different offices; the alterations in the contents, arrangement and condition of the different offices that have taken place since the Returns made in pursuance of the orders of the Select Committee of the House of Commons in the year 1800; and in particular what records have been cleaned, repaired and bound, and by whom and by whose direction, and out of what fund the expenses thereof have been defrayed;

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defrayed; the measures necessary or expedient for rendering the use of the records more convenient to the public." In pursuance of that order, the secretary prepared a series of circular questions, which were sent in the first instance to all the principal record offices. I will deliver in a copy of the questions.

[*The Witness delivered in the same.*]

343. Were answers obtained to those questions?—Answers were obtained to the questions; and I have here the copies of the returns which were made from the principal offices.

344. From some offices did you get no returns?—From some of the minor offices no returns were obtained.

345. Has the commission done nothing to obtain those returns since?—In the first instance the commission sent the circular questions to the principal offices only: an order was subsequently made for sending the same to all the record offices, libraries and other repositories in England and Wales, which came within the scope of the inquiries of the Select Committee of 1800.

346. Has the commission obtained full information upon all those subjects from all the offices?—From almost all the offices from which it was desirable to obtain any information, it has received returns.

347. What made you think that with reference to some offices it was not desirable to obtain returns?—Because from examining the appendixes to the Commons' Report of 1800, I satisfied myself that the returns would be of no utility.

348. Will you mention any of those offices?—Offices of the description of the Affidavit Offices in the different Courts; indeed most of the offices where law proceedings of a modern date are kept.

349. In consequence of the information which the Committee obtained upon this subject from the Rolls Office, what steps have they taken towards diminishing the fees of the Rolls Office?—I cannot satisfactorily answer the question, unless I am permitted to make a short statement, and which I am prepared to do.

350. Has any thing been done to diminish the fees of the Rolls Office?—The fees remain as they did before.

351. What has prevented the reduction of the fees in the Rolls Office; was it considered by the commission that they did not require reduction?—It was not considered by the commission that the fees did not require reduction. The board has no power to reduce the fees. The commissioners are enjoined by His Majesty to make certain inquiries, and, amongst others, into the salaries, fees, emoluments and perquisites of the officers. They have made those inquiries, and the result of them appears by these returns. It is not in the power of the Commissioners to do any thing more than to recommend to the King that an alteration should be made, supposing they should come to the conclusion that an alteration is just and expedient.

352. When were those returns made?—In the course of the years 1832 and 1833 for the most part. There have been some supplemental returns, if I recollect right.

353. Mr. *Hawes.*] Did they, in reference to those fees, make any recommendation?—The commissioners have not as yet completed their report.

354. Then they have not as yet made any recommendation for a reduction of those fees?—The report is only in preparation, and of course therefore the recommendation has not yet been made.

355. Will you state whether in the report, which is in preparation, any recommendation or not to that effect will be made?—I cannot, as secretary, undertake to say what will be the recommendation of the board under this head. It will certainly be one of the topics of the report.

356. Dr. *Bowring.*] Has the board come to any resolution upon the subject of the fees?—It has come to no formal resolution. With reference to the Roll Chapel Record Office, his Honor, the late Master of the Rolls, suggested, that the private indexes of the late Mr. Kipling should be purchased for public use. That the fees for searches by means of those indexes should be reduced to the ordinary amount; and indeed that the keeper of the records at the Roll Chapel should have a fixed salary, instead of fees.

357. The *Chairman.*] What Master of the Rolls was it?—Sir John Leach.

358. Mr. *Charles Villiers.*] Was that in the summer of 1834?—It was. I have a draft of the Bill, which was prepared in consequence of Sir John Leach's suggestion.

359. The

359. The *Chairman.*] Was any such Bill brought into Parliament, or was any thing done by the Master of the Rolls in consequence?—Lord Duncannon gave notice of introducing a Bill, which, however, had other objects besides that which I have stated.

360. Mr. *Hawes.*] What was the date of that?—It was, I think, in July 1834.

361. The *Chairman.*] That was a Bill for the erection of a Record Office?—It was, and for other purposes.

262. And one of the provisions of it was for the reduction of the fees?—Several clauses of that Bill related to the fees of the keepers of records, and their clerks.

363. So that, in fact, it made any reduction of fees entirely dependent upon the previous erection of a general Record Office?—The regulation of the fees was one of the objects of that Bill. The Bill contained clauses to the effect that the commissioners on public records might fix and settle the amount of fees to be taken by the keepers of records and their clerks, such fees not to relate to records of a later date than the reign of King George the Second: that they might from time to time direct fees to be increased or reduced, or wholly omitted to be received. That the fees of the keepers of records at the Tower, Rolls Chapel, Chapter House and Augmentation Office, and their clerks, should be paid into the Bank, and that such keepers and their clerks should have salaries instead of fees.

364. The only reduction of fees made by the board, was made dependent upon the passing of an Act of Parliament for the previous erection of a general Record Office?—In the Bill for erecting a general Record Office on the site of the Rolls estate, there were such clauses as I have mentioned.

365. Is not the fee for looking into the general index at the Rolls 1*s.* a year for each name?—I do not recollect.

366. It is stated in a pamphlet by Sir Harris Nicolas, that consulting the two private indexes, which it is frequently necessary to consult together, could not be done under less than seven guineas altogether?—I am not aware whether that is a correct statement or not.

367. Has any thing been done by the commission for purchasing those private catalogues?—There was a resolution of the board, that the secretary should inquire whether it was practicable to purchase for the public use such of the indexes to the records at the Rolls as were the private property of the late Mr. Kipling, and upon what terms.

368. When was that?—The 20th May 1831.

369. Was any thing done in consequence?—There was some communication between the Master of the Rolls, Sir John Leach, and the person to whom the calendars belonged. A proposal for the sale of the indexes was, in consequence, laid before the board, but such proposal was subsequently withdrawn, I believe, at his Honor's recommendation, who thought the purchase should be made out of the Suitors' Fund, under a clause in the intended Bill for building a general Record Office.

370. So that, in point of fact, the calendars have not yet been purchased?—They have not been purchased.

371. They remain in the same hands?—They do.

372. And the same fees are payable on inspection?—The same fees are payable as before.

373. Are you aware what are the fees on taking copies of records in the Rolls Office?—I cannot state any of the fees from recollection.

374. Are you aware that if a party wants a copy of a few lines of a roll, he is not allowed to copy any thing less than the whole, unless the charge for copying the whole amounts to 15 guineas?—I doubt very much the accuracy of that statement.

375. Has there been any loss of records in the Rolls Office?—I never heard of any.

376. Have any transcripts been made from those records, for the purpose of preservation?—There was an intention at one time of transcribing the writs and Returns to Parliament, and an estimate was ordered of the expense; possibly some copies may have been made.

377. Not with any view to printing?—Not with any immediate view to printing; but although I am certain that such were repaired, and there is an impression

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upon my mind that some were transcribed, yet I am by no means satisfied of this last point.

378. From your account, the commission seem to have left the management of the office pretty much to the keeper?—The commission considers it to be its duty to lend its aid only to those record offices where such aid is required. The nature and extent of the assistance afforded varies with the state of the records, and the footing upon which the establishment is placed. Generally all the operations of the board are carried on with the concurrence of the keeper. In the Rolls Chapel the commissioners have abstained from doing more, conceiving that more was not requisite or practicable.

379. This abstinence on the part of the commissioners has not been owing to any jealousies between the keeper and the commission?—Not at the Rolls Chapel.

380. The keeper has not placed any obstacles in the way of the commission doing whatever it proposed?—The keeper has thrown no obstacle in the way of the operations at the Rolls Chapel.

381. The Right hon. *C. W. Williams Wynn.*] He is subject to the Master of the Rolls?—He is, and to the Lord Chancellor.

382. Sir *Robert Inglis.*] In regard to the statement made as to the condition of the records in the Rolls Chapel, can you state to the Committee whether such state be attributable to the existing commissioners, or any former commissioners, or in any way to any officer of the Government, other than the Master of the Rolls?—The present commission has no power to make any changes in the repository at the Rolls Chapel, supposing any changes to be necessary; the commission can only recommend them to be effected.

383. Have you reason to believe that any former commission had such power?—No.

384. Does not the power rest absolutely with the Master or Keeper of the Rolls?—It rests with the Master of the Rolls and the Lord Chancellor.

385. The Master of the Rolls, holding an office under the Great Seal, and the Keeper of the Records being appointed by him?—Yes; and the Keeper of the Records holding his office for life, and receiving no salary from the public.

386. The Right hon. *C. W. Williams Wynn.*] Was not there a Committee appointed upon the subject of those records at the Rolls?—There was a Committee, which visited the Rolls Chapel; but before that committee was appointed, orders had been given, that the Writs and Returns to Parliament, and the Surveys of Church Livings, should be repaired and bound, as well as the inquisitions *post mortem*. On the 10th of June 1831, if my memorandum be right, directions were given for repairing some of those records, and there was a previous order for repairing others of them. On the same 10th June, there was laid before the board a copy of a memorial of Sir John Leach to the Lords of the Treasury, stating that his Honor had received from Henry Gawler, esq., who was then the clerk or keeper of the records at the Rolls Chapel, the statement therein mentioned, to which he begged leave to refer, and from which it appeared that the present repository for the important records which are there preserved, is not only much too limited in point of space, but that the want of sufficient air and light, and the other causes there enumerated, are gradually tending to the destruction of the records. I produce a copy of that memorial, which bears upon many other points which the committee are investigating.

[*Witness delivered in the same.*]

387. The *Chairman.*] Did you mean to say that at the Rolls Chapel there exist any obstacles to the power of the commissioners, or any limits to the authority of the commission, different from those which exist in other offices?—I apprehend that in none of the offices have the commissioners any effective power.

388. Do you mean that that commission to arrange and methodize the records does not enable you to go into the office and do so?—My opinion, as a lawyer, is that it does not.

389. Then, in fact, it has been entirely dependent upon the pleasure of the keepers of those offices whether the commission should be allowed to do any thing in them or not?—In my judgment, the keeper of the records of the Tower or of the Rolls Chapel may shut the door in the face of the commissioners.

390. Who is the keeper of the Duchy of Lancaster Office?—Mr. Danvers has the custody of the records.

391. Who is employed to superintend the business of the commission in that office?—The repairing has been discontinued at the Duchy of Lancaster Office.

392. Is

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392. Is any one employed by the commission there?—No one at present.

393. While the business was going on, who superintended it?—Mr. Caley.

394. Did any one superintend it after Mr. Caley's death?—I think it was discontinued previously to the time of his death; Mr. Charles Gay directed it, under Mr. Caley's superintendence.

395. Did not Mr. Hardy at any time superintend it?—He is one of the clerks in the office, but he was never employed by the board for that purpose.

396. Has Mr. Minchin been so employed?—The late Mr. Minchin was employed as an editor.

397. But not in methodizing and arranging?—No; Mr. William Hardy also has been employed as an editor, but not in arranging.

398. Is the building convenient?—I thought it not inconvenient when I went over it; part of it is used as a private residence, which I think very objectionable.

399. Does not that render the records peculiarly liable to accident from fire?—Of course it renders them liable to accident from fire.

400. As liable as in a private dwelling-house?—Most private dwelling-houses are probably more liable than that house, as I believe it is a stone house; there are stone staircases; I was told that a large room, in which are great part of the records, is considered to be fire-proof.

401. Is the arrangement good?—I believe all the records are accessible; when I was there, the clerks were engaged in re-arranging a portion.

402. Are there good calendars and indexes?—There are numerous calendars and indexes, and others are in formation; all this work is done by the gentlemen in the establishment, without the aid of the commission.

403. What state of preservation are the records in?—Generally speaking, they are in a good state of preservation.

404. Are they bound?—Some are bound; they have been bound under the direction and at the expense of the board.

405. Do you know what the fees of that office are?—I cannot state them, except by examining the returns.

406. Has any thing been done by the commission to reduce the fees in that office?—Nothing has been done to reduce the fees.

407. Have any transcripts been made for the purpose of perpetuation?—I think not; I am not aware that there are any records in the Duchy of Lancaster Office in a state to require to be transcribed for preservation.

408. Are perfect facilities given by the keepers for the operations of the commission?—No complaints were ever made to the board.

409. Very little, in fact, has been done by the new commission in that office?—It has not been considered expedient to do more than has been done.

410. Who is the keeper of the Augmentation Office?—I believe the King's Remembrancer may now be considered as the keeper; there was a defect in the Act of Parliament for re-modelling some departments of the Exchequer, which abolished the office of clerk of the Pipe, but was silent as to the clerk of the Augmentation Office, who was appointed by the clerk of the Pipe. Mr. Caley continued in the quiet enjoyment of his office, notwithstanding the Act of Parliament to which I have alluded had come into operation; and upon Mr. Caley's death, the board continued in the possession of the Augmentation Office with the knowledge of the Lords of the Treasury, to whom the difficulty that had arisen was explained. A letter, addressed by Lord Abinger to one of the secretaries of the Treasury, was read at the last board, from which it appears to be his opinion, that the custody of these records belongs to the King's Remembrancer; but his Lordship, if I remember right, advises certain acts to be done, in order to remove all doubts upon the subject.

411. Mr. Caley, the sub-commissioner, was formerly superintendent of the business of methodizing and arranging the records in that office?—He was the keeper of the records there, and of course he superintended the work carrying on in his own office.

412. He was keeper of the records of that office under an authority independent of the commission?—He was.

413. And at the same time you employed him as a sub-commissioner to superintend the arrangement of that office?—To superintend the arrangement of the records there, or rather to superintend the repairing and binding of the records there, because the statement of Mr. Gay, which I laid before the committee this morning, will show there has been very little alteration in the arrangement.

414. After Mr. Caley's death, Mr. Cole superintended those alterations?—

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After Mr. Caley's death, Mr. Cole directed the operations at the Augmentation Office, under such superintendence of the secretary as I explained before.

415. But, in fact, the whole arrangement was in the hands of Mr. Cole?—Mr. Cole was intrusted with the task of arranging, so far as there has been any new arrangement.

416. So that the arrangement was entirely as it went on under the guidance of Mr. Cole?—Entirely so, but liable to the check before mentioned.

417. He was not a sub-commissioner?—He was not.

418. In a Report of Mr. Protheroe, in the Agenda, the building was stated to be exceedingly unsafe; this was in June 1833?—I am not aware that he states it to be exceedingly unsafe; I know the locality well, and do not consider it to be so.

419. He says, the buildings "are surrounded with fire; on one side are the kitchen fires of Bellamy; and although sufficiently airy and spacious, they must be reported as unadapted for records, and insecure. To the doors there are only common locks, and no one dwells on the premises who has the care or any interest in the preservation of the records; thus, in case of fire, it appears to me that these would be the very last things which any one would think of securing;" that statement was made by Mr. Protheroe?—It was, and it is printed in the Agenda.

420. Before the fire, were any measures taken to remove the records?—No; the commissioners have no power to remove them. In their Report to His Majesty, they will probably notice the insecurity of the records in this office.

421. But they have not yet done any thing?—The Bill for building a general Record Office, to contain this and other records, was prepared under their direction.

422. In the same Report there is another passage: "These rooms had been long in a filthy state; it is possible that when the operation of cleansing the records commenced, the rooms may have been so encumbered as to render order and neatness scarcely attainable; but it has long been unnecessary to leave the records on the floor, or to permit the workmen to tread them under foot when engaged in picking out those which might merit repair; and it was slovenly to leave heaps of dirt in the chimnies, to be blown over the bound books and cleansed records every time the doors were opened. After nine days' assiduous labour, cleanliness was attained. The records were all dusted, the loose parchments put in sacks, and the rooms washed; fire-boards have been put up at the expense of the commission, some stools provided for the workmen, and an old table mended." Is this an accurate account of the state in which the rooms at the Augmentation Office had remained for two years after the commission came into being?—It is somewhat highly coloured.

423. This is a Report of Mr. Protheroe, printed in the Agenda?—No; it is a private communication of his own, which he desired might be printed.

424. It was printed by the order of the board, was it not?—Not by order of the board; it was printed amongst the Agenda, in which it was usual to insert various miscellaneous matters, which it appeared fit should engage the attention of the commissioners, or which might be useful in any future stage of the proceedings.

425. Sir *Robert Inglis*.] The sanction of the board was not given to the Report, to which reference has now been made?—No; the design was, to show Mr. Protheroe's activity in this department. He very kindly and laudably superintended the housemaids and other persons in removing the evils he has so forcibly pointed out; it will be remembered that Mr. Caley was at this time living.

426. The *Chairman*.] Are you aware that Mr. Cole for a long time carried on the arrangement in that office?—Since I have seen Mr. Gay's statement, I am not disposed to believe, without further evidence, that there has been any considerable change in the arrangement of the records of the Augmentation Office.

427. Have you ever heard it stated, that the arrangement under Mr. Caley cost 10,000 *l.*?—I never heard such a statement before, and I do not believe a syllable of it; money indeed was spent to a considerable amount in repairing and binding, in different offices, but not in arranging.

428. Do you know any thing of the arrangement made by Mr. Caley of the records; do you know whether they were arranged on a good or a bad system?—I believe, as I have more than once said, the arrangement remains much the same as it was; and if it be good, and there has been any re-arrangement in modern times, the credit is due to Mr. Caley or Mr. Gay; but with respect to

most

m ost of these offices, the Committee will permit me to remark, that I do not see how it is possible that for centuries past there cannot have been any great change in the arrangement of the bulk of the records in the offices. Most of our records are series of rolls, which are arranged according to their years, as they are brought in to the offices; others have been brought in on detached skins, and tied up in bundles, but according to their dates, like the inquisitions *post mortem* at the Rolls Chapel; I have seldom found any confusion in records of this description, although there is generally much prevailing amongst the miscellaneous records.

429. Do not you know that this was the mode in which the arrangement was carried on; that Mr. Caley used to send the workmen among a heap of unsorted papers, that they were taken out, cleaned, classed and bound by him?—With Mr. Caley's mode of proceeding I am not much acquainted. In the books which have been bound under his direction, documents of different dates and descriptions have, I believe, been pointed out to me by Mr Cole; but they were, if I recollect right, of miscellaneous characters; and Mr. Caley, in binding them, was probably guided by the size of the documents.

430. So that if he found a number of records, of different characters, different dates, and relating to different parts of the country of about the same size, he would bind them together in the same volume?—Where the records were miscellaneous, and could not be assigned to any particular class, he might be guided by the size; but he would hardly so mix records and documents forming part of a series.

431. He was not guided by chronological or topographical considerations in those cases?—In all cases of the arrangement of a series of records, I have no doubt he was guided by those considerations; but in binding what are termed miscellaneous records, of which there are many in all the offices, I think it probable that he was guided by the sizes of the records, and that any defects in the arrangement would be supplied by the catalogue. It is like binding pamphlets upon various subjects in one volume. The catalogue of the library enables you to find them without difficulty.

432. Have you ever heard it stated, that in his desire to bind them up in neat volumes, he cut off the seals of a quantity of documents in the office?—I recollect some years ago reading a passage to that effect, I think in a pamphlet.

433. Do you know whether that statement is true?—I do not.

434. Did you make any inquiry on the subject by order of the board?—No; if it happened at all, it was before the present commission issued.

435. Mr. *Hawes.*] Assuming such a circumstance to be true, is it possible that it could happen again under the present commission?—It is very possible that a keeper may destroy a record, or deface a record; he may take the seals off, and the board could only learn it from the information of persons who went to the office for the purpose of making searches, either legal or literary. Upon the report of such a fact coming to the ears of the commissioners, they would inquire into it.

436. Mr. *Jervis.*] Is it not more possible that that should occur from having the keeper who is interested in one character in the office, and the superintendent, who ought to be a check upon him, in the same person?—It was more easy to be done without immediate detection.

437. The *Chairman.*] From the circumstance of his being both sub-commissioner and keeper, was not the proper control which one of those officers ought to exercise over the other wholly wanting?—If Mr. Caley had been keeper only, and another person had been appointed superintendent of binding records, it is very probable that one would have prevented the other from mutilating the records. The mutual fear of discovery would have rendered the commission of an improper act with reference to the records less likely.

438. Sir *Robert Inglis.*] In point of fact do you conceive that the commission vests the custody of the records of the kingdom in the commissioners?—Certainly not.

439. In other words, the keeper of the records in any particular department has, notwithstanding such commission, the custody of the records of such his department?—He has the custody, and in almost all the repositories he is bound to retain the custody by an oath taken upon his appointment. You cannot separate him from his records. I hold that the board has no power to repair and bind without the concurrence of the keepers.

440. The *Chairman.*] Might not the board in those instances, or its officers, have exercised some check upon the operations of the keeper?—The board can do nothing more than call the attention of the judges of the different courts, or of

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the Treasury, or the Home Department or of Parliament, as the case may be, to the misconduct of the keepers.

441. The board would, at any rate, have done that?—The board would have drawn the attention of the Barons of the Exchequer, or the Chancellor of the Exchequer, or of the Lords of the Treasury, to any violation of duty on the part of an officer belonging to the Court of Exchequer, and who had the custody of any portion of the records of that court.

442. When the superintendent of the board was the same person as the keeper who did those improper acts, did not that give great facilities for the keeper doing those improper acts?—It did give some facility.

443. Did Mr. Cole carry on the arrangement after Mr. Caley's death?—He superintended the operations that were proceeding at the Augmentation Office, principally the repairing and binding.

444. Do you know whether Mr. Cole cut off the seals in the same way?—I do not believe Mr. Cole would do any thing of the kind.

445. Was there any important difference between the arrangement as carried on by Mr. Caley and that carried on by Mr. Cole?—From Mr. Gay's statement I believe there was very little difference.

446. That arrangement, whatever it is, is now stopped?—It will appear from the report of Mr. Gay that the operation has continued precisely in the same way as when Mr. Cole was there. I was not aware of that circumstance when I was last examined.

447. Are there good calendars in that office?—The calendars are not good; new calendars were in course of preparation at the time when Mr. Cole was discharged; and the formation of those calendars is necessarily suspended till some other person shall be found who will supply his place. In the existing state of things, no steps have been taken for that purpose.

448. Are you aware that at Mr. Caley's death two important calendars relating to this office, one of which was compiled at the expense of the board under his management, were sold as his private property?—I do not believe it. An inquiry was made on the subject, and I was satisfied that the calendars did not belong to the board.

449. But you are aware that calendars of the records in the Augmentation Office were sold as the private property of the keeper of that office?—Manuscripts containing particulars of records in the Augmentation Office were sold by auction, together with Mr. Caley's books; but they were the private property of Mr. Caley. I think I heard they were purchased by Sir Thomas Phillips.

450. Mr. *Jervis.*] Were they compiled by him when he held the office of keeper and superintendent?—If the manuscripts were calendars compiled by Mr. Caley himself, they must have been compiled during the period when he was keeper of the records of the Augmentation Office, because he had been keeper from the time he was a very young man.

451. Compiled by a public officer from public records, and sold as private property?—He had no salary; he received fees; and if he compiled calendars, he probably compiled them for the purpose of assisting himself in searches.

452. The first was a calendar of the particulars of grants; do you know what that sold for?—Mr. Cole reported to me at the time what the manuscripts sold for.

453. Can you state about what it was?—There were several manuscripts, unless my memory deceives me. Altogether I think they sold for about 300*l.*

454. *Chairman.*] Mr. Cole's report convinced you that the calendars were the private property of Mr. Caley?—Not Mr. Cole's information. I rather think I made some inquiry in other quarters.

455. Were you convinced at the same time that those calendars were of no importance to the Augmentation Office?—From what Mr. Cole said, I thought they might be of some importance, and there was some intention of purchasing them.

456. Sir *Matthew Ridley.*] Do you consider that a public officer intrusted with those public documents is in any way justified in compiling those calendars for his private advantage?—If he receive a salary for performing the duty of compiling calendars as some of the officers do, it would, I apprehend, be impossible to contend that he is entitled to such calendars. Calendars compiled by such keepers and their clerks have always been considered as public property, as the Appendix to the Report of the Select Committee of 1800 abundantly proves. But if the keeper have no salary, it is said the case is different. I have heard of calendars a century and a half old compiled by such keepers, and it has been

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the custom, as I believe, to regard the same as their private property. As to these manuscripts of Mr. Caley, upon inquiry I found they were of no great value, especially taking into account that we were at that moment engaged in compiling calendars which would supersede all others.

457. Mr. *Jervis.*] Did you ascertain that it had been the custom for a century and a half that this compilation should be made for the private advantage of persons employed in that situation?—The calendars of the records in the Rolls Chapel which have come down from one keeper to another by way of purchase, left no doubt in my mind that for a great number of years it had been usual to regard calendars made under such circumstances as private property.

458. You found your answer upon the hypothesis, that Mr. Caley had no salary. Was not Mr. Caley during the latter part of his life and for some time in the receipt of 1,000*l.* a year from the board?—Mr. Caley's emoluments under the board, as far as they are known to me, were only 500 guineas a year.

459. Was not that his fixed salary?—His fixed salary was but 200*l.* a year; but then there was an understanding that it should be made up in another way to 500 guineas.

460. Was not one of the calendars a calendar of miscellaneous rolls?—I do not recollect.

461. Do you know that the calendar of miscellaneous rolls in the Augmentation Office was made at the expense of the commission?—I do not believe it was.

462. Do you know whether such a thing was sold at Mr. Caley's sale?—I do not believe that any calendar made at the expense of the commission was so sold.

463. Was not a report or a suggestion made to you by Mr. Cole before this sale actually took place?—It was; but I do not recollect the precise purport of such suggestion.

464. You made inquiry into it?—Inquiry was made into it.

465. Did you take upon yourself to decide that question, of whether they were important or not, without reference to the board?—Mr. Cole was, I believe, authorized by me to make some inquiry respecting the manuscripts and their value; and it was in consequence of Mr. Cole's statement that the calendar, which Mr. Cole himself had been authorized to prepare, would render those manuscripts of no use, that, if I recollect right, the manuscripts were not bought; but I really do not distinctly remember what was done.

466. Without now considering what was the result of Mr. Cole's inquiry, or what opinion you formed upon that yourself, did you, as secretary, take upon yourself to decide that question without reference to the board?—I rather think that the question was never brought before the board; but I am not sure.

467. The *Chairman.*] You said that Mr. Cole made some progress in making better calendars; what has become of the calendars or the materials that Mr. Cole prepared for them?—They remain in the office.

468. Has Mr. Cole got any of them in his possession, or any of the materials?—Not that I am aware of; I wrote to him to deliver up all the papers and writings belonging to the commission; and I have no reason to believe that he kept any thing back.

469. He did not refuse to deliver up any portion of the papers?—All the property belonging to the board, which was in his possession when he was discharged, I have always understood has been given up.

470. Mr. *Jervis.*] Did not he send a message to you to the effect that he would not give up the materials for those calendars till the charge he made against the board was paid?—I have no recollection of any such message.

471. You do not know whether he has those materials in his possession?—I should be surprised to hear that he has; I should never have settled his account if I had supposed that he had.

472. The *Chairman.*] Were any of the documents in this office lost or spoiled at the fire of the two Houses of Parliament?—Mr. Cole has stated to me that the loss was not great.

473. It is true they were only saved by being thrown out of the window into the street, is not it?—It is very much to be regretted that they were thrown out of the window. As I am well acquainted with the construction of the adjoining buildings, if I had been present, I should have done my utmost to prevent it.

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474. Was not it done by Mr. Protheroe and Mr. Cole, the two persons who were the chief parties who did any thing towards saving those records?—On that night, Sir Thomas Phillips, whose zeal for the preservation of records and manuscripts is so well known, came to my house, at Saint John's Wood, just as I was getting into bed, with the news that the two Houses of Parliament were on fire, and that the records had been thrown out of the windows of the Augmentation Office into the street. We went to town together, and arrived there about 12 o'clock, when I found ample proof that the records had been treated in the way Sir Thomas had stated, as scores were to be seen in the gutters trampled under the feet of firemen and soldiers. I found also, to my great astonishment and vexation, that although Mr. Cole had been there, he had gone home. Mr. Charles Gay was in the Augmentation Office, where he remained, by my orders, until the next morning. Sir Thomas Phillips and myself lost no time in doing what was possible to save the records from the destruction which, in a few minutes more, would have overtaken them. The Commanding Officer of the Guards placed 10 or 12 soldiers at our disposal, and these men were engaged for several hours in picking up records, which were put into baskets, and carried back to the Augmentation Office. Amongst them were rolls which had been cleaned and ticketed at the expense of the board. I did not leave the spot until nearly five o'clock. As Mr. Cole is present, and hears me, I will affirm that upon that occasion he did not perform his duty.

475. Was Mr. Protheroe there then?—I have no recollection of having seen him; Mr. Charles Gay told me he had been there.

476. Is the office perfectly dry?—It is.

477. Has much been done in the way of binding and repairing?—A great deal.

478. If it has been stated that one instance of Mr. Caley's binding was, that in one volume there were bound up 12 documents, and at the back of the volume was lettered "Rentals," and that of those 12 documents not a single one was a rental, would that statement be correct or incorrect?—I will frankly tell the Committee that I do not believe one-half of the stories that are told against Mr. Caley.

479. Did you ever hear that?—I will not believe it without proof.

480. Mr. *Jervis.*] Was it ever communicated to you?—I have heard so many stories, that I cannot say what has been communicated to me.

481. Having heard those stories, did you communicate them to the board, or did you yourself make any personal inquiry upon the accuracy of them?—When I have been in the Augmentation Office, I have looked at the records bound by Mr. Caley, which Mr. Cole stated he conceived to be improperly classed together; but I will not pretend to decide whether he was right or wrong; all this was done before I was secretary; the present board has nothing to do with it.

482. The *Chairman.*] Could not you have decided by inspecting the rolls?—Certainly I could not decide; out of half a dozen Record Office keepers, each perhaps would be of a different opinion as to the proper classification and arrangement.

483. Did you see whether Mr. Cole's statement was correct?—I did not.

484. Do you read records of an old date with facility?—No.

485. Sir *M. W. Ridley.*] If such a mistake took place, would not ill consequences arise to the public service from such an improper lettering at the back?—Very possibly not; because any document might be found in the calendar.

486. The *Chairman.*] Would not the consequence be, that the arrangement and binding of the records themselves would be no guide subsidiary to the calendar? There would, of course, be a calendar of the miscellaneous records; and suppose there were 20 volumes of miscellaneous records, each volume would have its distinguishing mark, and it would appear from the calendar in which of those volumes and in what part of the volume the particular record sought for was to be found.

487. Is not that the worst arrangement that can be made?—I am far from thinking it so, as regards the miscellaneous records.

488. Mr. *Jervis.*] Suppose a party had occasion to refer to a document relating to any particular manor of an ancient date, the manor of East Greenwich, for example, would not the consequence of such a miscellaneous binding, and making the calendar afterwards, be, that if you wanted to find 50 documents applicable to one manor, you might have to go to 50 different parts of the office, and take down 50 different books, before you can make the series complete?—If any search were necessary with regard to the manor of East Greenwich, the search might, for any thing I know to the contrary, have to be made in three or four descriptions of records,

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records, forming a series or classes of records. Now, each of these classes or series would have its peculiar calendar, and there could be no difficulty in searching those calendars. But there might be another description of records of a miscellaneous nature that could not be arranged under any of those classes, and then if it should so happen that amongst such miscellaneous records were 14 or 15 documents relating to East Greenwich, and those documents were documents of different sizes, they might possibly be bound in different books, and although the calendars showed in what books they were, yet there might be occasion to go to many parts of the office before all the documents wanted could be consulted; but I do not believe any such cases can occur.

489. The *Chairman.*] Have you ever heard that considerable time has been spent in searching for documents in the Augmentation Office?—I have.

490. Since the arrangement of Mr. Caley?—The calendar not being completed, sometimes occasions considerable time to elapse before a record can be found.

491. Is not the arrangement you have described a perfectly artificial one; there is no clue to it except the calendar or index?—There is not. But I know of no better clue in such a case.

492. And without the calendar or index, it would be impossible to understand it?—It would be very difficult.

493. While this arrangement was going on, was the calendar made simultaneously with it, so that a reference could always be made?—I have already stated there has been little done by Mr. Cole in the way of arrangement. Arrangement has nothing to do with a change in the mere locality of a series of records; when such changes of locality have been made, they have no doubt been noted in some document in the office.

494. Have you no means of saying whether Mr. Cole's arrangement was materially different from that of Mr. Caley?—I believe, from the information I have derived from Mr. Charles Gay since my last examination, that there is very little change in the arrangement.

495. Did Mr. Gay work under Mr. Caley at the time the arrangement went on?—Mr. Gay did.

496. Did he ever remonstrate with you, or any one else, respecting any error in the arrangement of Mr. Caley?—Never, that I recollect.

497. Does he state now that he is aware of errors?—He has not stated so to me.

498. Do you know what the fees are in the Augmentation Office?—I know them only from the Returns.

499. Has any thing been done by the commission to alter those fees?—No change has been made in the amount of the legal fees, nor do I conceive any change to be necessary; they are very small. Whilst the board was in possession of the office, strict instructions were given to Mr. Cole to permit persons engaged in historical and antiquarian pursuits to have access to the records without exacting any fees.

500. Whilst Mr. Caley was in office, were the same fees taken as before?—I am not aware of any change.

501. Have any transcripts been made by the present commissioners in that office for the purpose of perpetuation?—I am not aware that any of the records in that office have been transcribed for the purpose of preservation, nor am I aware that such a step was necessary.

502. Is the commission at present allowed free access to that office?—It is.

503. In consequence of Mr. Cole's dismissal, did not some change take place in the custody of that office?—Upon Mr. Cole's dismissal, the attention of the Treasury was drawn to the question which had been then depending ever since Mr. Caley's death, as to the right to the custody of the Augmentation Records, and I rather think the point may be considered as decided.

504. Was the custody of them then given up to the King's Remembrancer?—A communication was made to the board that the provisional custody was intrusted to Mr. Vincent.

505. When Mr. Vincent took possession of the office, did not he turn out the persons who were employed there by the commission?—No; but I have heard of some objection being made to the Pell Records being repaired in the office, and that does not seem very unreasonable.

506. Was any return sent to you from the King's Remembrancer from the Treasury desiring the commission not to interfere with the office?—No.

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507. Mr. *Jervis.*] You stated that the custody of the records of the Augmentation Office had been transferred by the Treasury to the board?—I have the warrant. [*Producing the same.*]

508. The warrant that you have now given in, was a warrant transferring to the board the records of the King's Remembrancer; my question referred to the records of the Augmentation Office?—I have made a mistake; I forgot that we were speaking of the Augmentation Office records. The warrant applies to the King's Remembrancer's records. With respect to the Augmentation Office records, the board merely drew the attention of Government to the question that had arisen, and informed the Lords of the Treasury, that it would keep possession of the records until a legal keeper should be appointed; and in this the Treasury acquiesced.

509. In the year 1833 had not you, as secretary to the board, an altercation with Mr. Vincent upon the subject of the records of the Augmentation Office?—I had.

510. Did not you then write to him, and say that you had Lord Grey's authority to take those records?—I do not recollect.

511. Have you a copy of the letter you wrote to Mr. Vincent?—Whatever letter I wrote to Mr. Vincent, I have a copy of it.

512. Have you it now?—I have not at present, but I shall be able to produce it.

513. When Mr. Caley died, he having been secretary, the keys of that office came into your possession as secretary to the board?—I do not recollect that I received the keys.

514. Did not Mr. Cole have the keys of that office till he was dismissed?—He had the keys of the office, but I do not recollect that the keys were delivered to me upon Mr. Caley's death. At the time of Mr. Caley's death, Mr. Cole was carrying on the operations in the Augmentation Office, and he continued to do so afterwards.

515. Upon Mr. Cole's dismissal, did not you apply to Mr. Cole for the keys?—Mr. Cole carried the keys to the Treasury himself.

516. Before he carried the keys to the Treasury, did not you apply, as secretary, for the keys?—I do not recollect that I made any application to him for the keys.

517. When he was dismissed, you say he took the keys to the Treasury?—There were two sets of keys, one in the possession of Mr. Cole, the other in the possession of Mr. Charles Gay.

518. And the set which Mr. Cole had, he delivered to the Treasury upon his dismissal?—He did, or within a few days afterwards.

519. Did you apply to the Treasury for those keys?—I did not.

520. Did any person on behalf of the commission?—No.

521. Were they not sent by the Treasury to Mr. Vincent?—They were, as Mr. Vincent informed me. As the Committee has allowed me to supply any omission in my last examination, I will take this opportunity of doing it with reference to the correspondence with Mr. Vincent. I was asked whether I had laid that correspondence before the board. I stated that I had not laid before the board the whole of the correspondence, but I had laid before the board what I conceived the material part of it. Upon examining the minute-books, I find the following entry; the date is the 17th of May, 1834:—"Suspension of the editing of the Pipe Rolls, and the other operations recently carrying on in the late Pipe Office, and the late Lord Treasurer'sRemembrancer's Office. Produced various papers and letters upon this subject. Custody of the records belonging to the late Augmentation Office. Produced different papers and letters upon those matters." I have no doubt the letter alluded to, if written, will be found amongst them. Now I must state to the Committee, that upon that correspondence between Mr. Vincent and myself, I recollect perfectly well to have consulted Lord Canterbury, and Lord Canterbury thought I should simply lay the correspondence upon the table of the board, observing, as the result has shown, that a few months would enable us to settle all the little differences, without occasioning any disagreeable discussion.

522. The *Chairman.*] Then the course you adopted was recommended by Lord Canterbury?—It was assented to by him. I mentioned the matter to him.

523. Sir *C. Lemon.*] There are in the Augmentation Office some records belonging

longing to the Duchy of Cornwall?—There are there some records relating to that Duchy. *C. P. Cooper*, Esq.

524. Has there been any negotiation between the Augmentation Office and the officers of the Duchy with respect to the removal of those records?—An application was made by Sir George Harrison that the records relating to the Duchy of Cornwall might be removed from the Augmentation Office to the Duchy of Cornwall Office. I made a verbal communication to him in reply; but in consequence of a letter which I received from Sir Herbert Taylor, expressing the wish of His Majesty that those records might be removed from the Augmentation Office to the Duchy of Cornwall, I considered it to be my duty immediately to summon the board. At that board both Mr. Baron Parke and Mr. Justice Bosanquet attended; and, after full consideration, the commissioners came to the conclusion, that they had no authority to direct a removal of the records in question, although precedents of former removals under the orders of the board were not wanting. Indeed a transfer of some records of the same species from the Augmentation Office to the Office of the Duchy of Cornwall was one of the first acts of the first commission issued in 1800. 29 February 1836.

525. Then, in fact, the idea of removing them was dropped for the present?—It is.

526. Would there be any objection to lay before the Committee the correspondence that passed upon that occasion?—Certainly not.

Mercurii, 2° die Martii, 1836.

Mr. Charles Buller.	Mr. Jervis.
Mr. Pusey.	The Right hon. C. W. Williams Wynn.
Sir Robert Inglis.	Mr. Hawes.
Dr. Bowring.	Mr. Wyse.
Sir Charles Lemon.	Mr. Charles Villiers.

MR. CHARLES BULLER IN THE CHAIR.

Charles Purton Cooper, Esq. called in; and further Examined.

527. The *Chairman.*] HAVE you any statement to make respecting the inquiries that were pursued in this Committee on Friday?—There are three other points of my examination upon Friday respecting which I am desirous of giving to the Committee information that, from being unapprised of the subjects upon which I should be interrogated, I was not then prepared with. The first is the measures taken for arranging the miscellaneous records of the King's Remembrancer's Office. Those measures commenced in the month of March 1832, twelve months before the engagement of Mr. Cole. I hand in a report of Mr. Vanderzee of what was effected during the first year by himself, his son, Mr. Adlington, and Mr. Trickey. In the early part of 1833, Mr. Thomson assisted in prosecuting the same measures. I produce a letter from him on the subject of the miscellaneous records of the Exchequer, dated 17th December 1832.—The second point is the mode in which the work of sorting and repairing the Augmentation Office records and miscellaneous records of the King's Remembrancer's Office was carried on after Mr. Caley became incapable of personally superintending it. This mode is fully explained in various papers of Mr. Protheroe. In a letter dated 10th June 1833, he says, "The whole conduct of this business has now fallen into your hands, where, as in those of the secretary, I have always thought it should be placed. The occasional visits of one or more of the commissioners to the offices where this work is carried on, may be beneficial, but a regularly appointed supervisor is necessary, and I have regarded Mr. Henry Cole as the person whom you have selected to fill that situation. It is but justice to say, that I think your selection very judicious." In a paper of the same date, speaking of the workmen at the Augmentation Office, he observes, "Charles Gay is the superior among these men, and he may be considered as a humble deputy-keeper of the office. From his long acquaintance with it, his habitually searching for the records which Mr. Caley has to consult, and his occupation in repairing records, he has become better acquainted with their contents than would be expected from a person who has had no good education." In the same paper he says of the Exchequer records:—"The condition of these *C. P. Cooper*, Esq. 2 March 1836.

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records and the treatment they have received under the care of the officers of this court, and the various removals to which they have been subjected at great expense to the public, and with greater detriment to the records, have been fully detailed in former articles which have appeared in the Agenda. But the 700 huge sacks of unassorted records should be seen. I need not report to you how the work is here conducted, as it was commenced under your especial management. So long as the weather was cold, and that our workmen could not obtain admittance within this building, the plan of removing the records to your house after they were sorted was the best which could be followed. But in summer, and with the present facilities of admittance, the records incur less risk of being lost or destroyed by fire if left at the mews, than when transferred to a private dwelling-house. By having the number of documents which are examined in each day and week accurately reported, and the sheets of the catalogue marked with a distinct letter for each week, a system is established which must effectually betray any want of diligence."

[*The Witness delivered in the Papers referred to in the foregoing Statement.*]

528. When was that period when you say Mr. Caley became incapable of discharging those duties?—That will appear by a Report I shall have to hand in by-and-bye.

529. Can you say how long it was before his death?—It was a longer period of time than I mentioned in my first examination; but I shall be able to state it exactly, as I have desired Mr. Charles Gay to furnish the information, and I know he can do so. The third and last point is as to the duration of the temporary arrangements under which the valuable records at the Augmentation Office remained in the charge of a clerk. In this, as in most other matters, no blame can be attached to the board. In the Bill which I mentioned on Monday there was the following clause: "And whereas doubts have arisen as to who is entitled to appoint a keeper of the records contained in the Augmentation Office, such appointment, previously to the passing of an Act of the third and fourth year of His present Majesty, intituled, 'An Act for facilitating the appointment of Sheriffs, and the more effectual audit and passing of their Accounts, and for the more speedy return and recovery of Fines, Issues, forfeited Recognizances, Penalties and Deodands, and to abolish certain Offices in the Court of Exchequer,'" which abolished the office of clerk of the Pipe having been in the gift of the clerk of the Pipe; "Be it therefore enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the time being, or any three or more of them, from time to time to appoint a proper person to be the keeper of the said records, and that such keeper shall hold his office during the pleasure of the Lord High Treasurer, or the Commissioners for the time being of His Majesty's Treasury, and may be removed from his office by the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the time being, or any three of them, at pleasure."

Mr. *Henry William Hewlett*, called in; and Examined.

Mr. *H. W. Hewlett.*

530. The *Chairman.*] ARE you a solicitor?—Yes, I am.

531. I believe your business has lain very much in the line of searching among the ancient records?—Almost entirely.

532. How long have you been engaged in searching the records?—Very nearly twenty years.

533. For what purposes?—For the purposes of obtaining evidence upon trials affecting property of every description; that is, land, mines, fisheries, tolls, and real property generally.

534. You have not searched them as much for historical or literary purposes?—No, entirely for practical purposes, applicable to establishing the rights of parties who claim or resist the claim to property.

535. Those documents are frequently of very great importance in legal investigations?—Of the very highest importance.

536. Is it of great importance to the public, and particularly to suitors in our courts of law, that the readiest access should be obtained to those records?—Decidedly, in every way; both as regards expense and certainty.

537. Are they conveniently situated?—They lie dispersed in different parts of the town; certainly not conveniently situated.

538. Is

538. Is it not a great source of inconvenience, and a great obstacle to those inquiries, that the records are scattered in so many different depositories throughout London?—It would be more convenient, and there would be less time occupied, if they were in one place; I do not know of any other inconvenience than that you have to go from Westminster to the Tower, and from the Tower to the Temple; so that there is a great deal of time consumed, as well as labour.

539. Which is a very great inconvenience?—Certainly.

540. In the buildings in which they are found, are they easy of access when you get into the building itself?—Not very easy of access; in fact you seldom see where the records are deposited; you go into the office, and ask for what you want, and a clerk goes into a different part of the building to find them; for instance, in the Tower you are not admitted into the place where the records are kept, so that I hardly know whether they are conveniently arranged; in many places they are not; at the Chapter House they are not of easy access.

541. Is proper facility afforded to the public by good indexes and calendars at the different offices?—I should say, generally speaking, certainly not.

542. Is the arrangement of the records in the different offices such, that the arrangement itself serves as a guide to the document that is wanted?—In most places I should think they are arranged under different general heads; for instance, grants are collected together at the Tower and at the Rolls Chapel: inquisitions *post mortem*, another important class of documents, are arranged together. At the leading offices of chancery, I should think the arrangement is good, so far as they are arranged.

543. Are those documents so arranged into classes, chronologically or topographically arranged?—No, except at a few of the Record Offices; thus, at the Tower they are arranged chronologically, and also at the Rolls Chapel; but at none of the offices is there any topographical arrangement, with the exception of the Augmentation Office and a portion of the Chapter House records.

544. Would not such an additional arrangement afford great additional facilities?—Yes, no doubt.

545. But from the absence of such chronological and topographical arrangements, the want of indexes and calendars is much more severely felt?—No doubt of it; although good indexes and calendars are the grand desiderata in referring to records.

546. Where are the records of the King's Bench kept?—The records of the Court of King's Bench, containing decisions by juries, from the reign of the 1st of Henry VI., called the Judgment or Verdict Rolls, are kept now at the Master of the Rolls' house, which has been converted into a record depository; they were removed a few years ago. The earlier Judgment or Verdict Rolls of this Court are kept in the Chapter House at Westminster.

547. Are those records of great importance in legal inquiries?—Of the very highest importance.

548. What calendar and indexes are there to those documents?—The only indexes to those documents are what are called Docket Rolls, and they contain merely an entry of the county, the names of the parties and the number of the rolls in which the different causes are entered. Those Docket Rolls are exceedingly imperfect, and do not at all correspond to the rolls of which they profess to be indexes. There are many chasms in them; thus, for the reign of Richard II. a few years only are preserved; for the reigns of Henry IV. and V. none are existing; and for the last twelve years of Henry VIth.'s reign there are none remaining. During the succeeding reigns the series is more regular, but far from perfect; so that if you should know the time of the cause being tried, and the parties to it, you could not, without much trouble and expense, find out the record of it, on account of the loss of the Docket Roll.

549. Then those Docket Rolls give exceedingly little information?—None whatever, except that they conduct you to the Judgment Roll, when you happen to know the precise time of the trial and the names of the parties.

550. They do not mention the property about which there is a dispute?—No, they merely give you the county generally, York or Durham, for instance.

551. So that those docket rolls do not give the parties an index to the most valuable information that is contained in the document to which they are an index?—Decidedly not.

552. For instance, if you wanted to search those docket rolls, in order to inquire what evidence the rolls to which they referred contained respecting a particular

Mr. *H. W. Hewlett*

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particular property, you would not be able from the docket rolls to find out that the property was mentioned?—They would not give the slightest clue to it, and I have often had occasion to lament it.

553. Have you ever known serious expense and risk in a trial of the title to property arise from this?—I have, in my own experience.

554. Could you give any instance?—I can give an instance which has recently happened to me: I was employed to support a right of fishery in a public river, which is a claim that requires very great antiquity to support it. I accordingly made searches, and found a great deal of evidence that led to the presumption that such a right anciently existed, but nothing conclusive upon the point; upon that evidence, however, the parties determined to try the right; but it happened, just before the trial, that a gentleman residing in the country near the spot, found in a chartulary of the monastery to which the property had belonged, a reference to a trial that had taken place upon the very question; this reference was sent up to me to prosecute further; and as it very fortunately gave the number of the roll upon which the verdict of the jury was recorded (it was of the date of Henry VI.). I searched amongst the Judgment Rolls of the King's Bench of that reign; and although they had not been put into any arrangement since they had been removed, after some little time I succeeded in finding the roll I was in search of, and of course procured an office copy of the verdict, to give in evidence upon the trial of the question in dispute. Supposing we had not got that reference, the parties must have gone to trial without this most important evidence, with the risk of not succeeding. Now the previous searches which I had made in this case, at a considerable expense, to find evidence in support of the right, would have been saved, if I had known earlier of the record of this verdict; but from the want of proper indexes to the judgment rolls, there was no possibility of my knowing it; and it would have remained undiscovered, but from this accidental circumstance.

555. So that all this expense and trouble arose from there being no sufficient information contained in the indexes and calendars of those verdicts?—Precisely so.

556. And that information you got by accident?—Yes, we should have gone to trial in perfect ignorance of its existence.

557. Can you give any other illustration of the usefulness of the Docket Rolls as guides to the Verdict Rolls?—Yes, I can; rather a more serious one as regards the parties. Some years ago I was applied to by the owner of the tithes of a parish to recover the tithes of a very large tract of land, from which he had received nothing. I asked him what evidence there was in support of the exemption; he told me he knew of nothing in support of it, and wished me to take measures to recover the tithes in kind. Before resorting to any active measures against the occupier of the lands, I made general searches amongst the public records to satisfy myself that there was no ancient documentary evidence which could be brought forward to negative the tithe-owner's right to the tithes in question; and having met with nothing in the least degree referring to the exemption claimed, I accordingly proceeded against the landholders. As it was the wish of my client to try the question upon its merits, we allowed him ample time to prepare for his defence, and make inquiries for ancient documents to substantiate it; and I have no doubt he employed a gentleman experienced in ancient evidence for that purpose. After some time had elapsed, his attornies called on me, and stated that they had made inquiries, but had not succeeded in obtaining the proof necessary to establish the exemption, and that their client would pay the tithes in kind. Some dispute, however, subsequently arising between the parties, the proceedings were continued, and a very heavy expense was incurred on both sides. It was afterwards accidentally discovered that the matter in dispute had been before the courts of law on several occasions in early times, which gave an entirely different complexion to the case. My client had not the full benefit of this new evidence, as a compromise took place between the parties. If the existence of these verdicts had been known in an earlier stage of the proceedings, (as they must have been if there had been an index locorum to the Verdict Rolls,) I should have shaped my course differently, and in all probability an expense of 1,500*l.* would have been saved to the parties.

558. Sir *Robert Inglis.*] But the decision was in a printed book open to the profession?—It was in a book where the form of pleading was reported. The reporter might or might not mention the place, often they do not.

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559. The *Chairman.*] If there had been no important question of law sufficiently new or striking for the reporter to mention it, there would have been no notice taken of it?—No.

560. Mr. *Jervis.*] If it had been merely a decision upon the evidence, and the Court had decided the evidence was sufficient, it would not have been reported?—No, the report turned upon pleading, and not at all upon the merits of the case.

561. The Right hon. *C. W. Williams Wynn.*] This was not an ancient decision?—Yes, it was of some antiquity.

562. The *Chairman.*] Do you know the report it was quoted from?—Yes; the old reporters never give you the names of the places, except by accident. We should never think of searching those reports for references to search the Verdict Rolls.

563. In very old times you seldom find the names of places?—Scarcely ever.

564. Suppose that the lord of a manor was to come to you, and ask you to search for ancient documents in support of his title to a tract of common, we will say in opposition to the claim of a neighbouring lord or of the Crown; supposing, upon your asking him, or from his own recollection, he told you there was a tradition in his family, vouched either by the records of the manor, or some kind of history, or some other mode, that there had been a trial of that very right at the assizes some time during the reign of Elizabeth, we will say, and that his ancestor's right was then affirmed by a jury; but supposing he could not tell the precise year in which the trial took place, or that he did not know the name of the defendant against whom his ancestor had tried that very action, how could you find for him that decisive evidence of his right which that verdict would give?—We could not give him the least assistance, although it might be certain, that upon the Verdict Rolls of the King's Bench, or other courts, there was that verdict guiding the title, and establishing it to the fullest extent. I have been in cases something similar to that, where I knew there was a dicision in my favour, but could not get at it.

565. Now from this cause, do you not think, in the first place, that the parties incur very great expense in the trial of a cause?—Yes, in general; in important questions of the nature last referred to, they must of necessity incur very great expense.

566. Do you not think great uncertainty prevails as to rights from the same cause?—Decidedly.

567. Do you not think that many actions are tried that never would be tried if the matter in dispute could be settled by a reference to those decisions?—No doubt; at least in my own case I should not think of trying actions where I had distinct proof that the matters in dispute had been decided against me on former occasions.

568. Do you not think there is some reason to apprehend, from the want of knowledge of such documents, many causes have been decided unjustly?—I am quite of that opinion. I will mention another case where, from there being no means of access to the contents of the Judgment Rolls, the expense and anxiety of law proceedings were on the point of being incurred fruitlessly. A clergyman in Kent applied to me to recover the tithes of a chapelry to which he thought he was entitled, situated in his parish, and there appeared to be every ground to believe he had a just claim to them; but before proceedings were commenced, there was sent me a very large collection of private family deeds. Upon looking through these, I found repeated references to trials of the same question in the time of Elizabeth and James I., where the right was decided the other way. I of course advised him not to proceed in the face of these documents. If we had not had these private muniments, the claim would have been prosecuted in utter ignorance of the early decisions, and if known to the opposing party, as they probably would be, from their private sources, might have been produced against us to our dismay and defeat. Now, if there had been a perfect calendar to the rolls containing these judgments, I must have known of them without any other means.

569. Where are these Docket Rolls kept?—They are kept in what is called the Grand Jury Room in Westminster Hall, a very insecure and improper place.

570. Is that near the place where the Verdict Rolls to which they refer are kept?—No, they are kept at the Master of the Rolls' house; they were near them before they were removed.

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571. So that from the calendar you have now to go about a mile and a half to see the documents to which those calendars are an index?—Yes, that is the case.

572. Are they in a perfect state of preservation, the Docket Rolls?—No, very far from it.

573. Are they defaced by damp?—Hardly by damp, but many of them are in shreds. You find the ends of several of the rolls containing references to the Verdict Rolls torn off, and others quite illegible.

574. Have they suffered from vermin?—Yes, vermin I should think, and being very badly tied up; from want of care in tying them up, pieces are torn off.

575. Mr. *Jervis.*] Do you think they are fit documents to be transcribed for perpetuation?—They are very imperfect and insufficient indexes; but as they are of use in some cases, I should think it desirable to transcribe those which are in a perishing condition, and take better care of the others.

576. The *Chairman.*] But while the commission was in existence, of which two of the principal objects were to provide calendars to those documents, and transcribe such of those as were perishing, do you not think that their money would have been well laid out in either providing better calendars or in transcribing those that existed?—Decidedly; it would have been better to have had new ones; but the next best thing would be to keep those in existence from decay, and make them serviceable.

577. Sir *Robert Inglis.*] Are you aware how far the courts of law permit any interference with the documents connected with those courts respectively, on the part of the commissioners more than on the part of any individuals?—I never remember any instance where they were applied to, that any refusal was given by the courts to allow of a better arrangement of their records, or better calendars. Undoubtedly the courts have the custody of their records, and any application or intention of rectifying the defects of those records must be made to the chiefs or the judges of those courts; that is the channel for the application to go through. I never knew any difficulties thrown in the way, and I should think the courts would be very glad of it.

578. The *Chairman.*] Have your inquiries led you to consult the Verdict Rolls of the Common Pleas?—Yes.

579. In what state are those Verdict Rolls?—Generally they are in a very good state; the Verdict Rolls are quite accessible, if you could get calendars to them.

580. At what period do they begin?—There is almost an unbroken series from the reign of Henry VIII., in the Common Pleas Treasury, and there are many earlier ones at the Chapter House.

581. From the time of Richard II.?—Rather earlier than that.

582. Part of those Verdict Rolls are kept in one place, and part in another?—Yes.

583. Where is the part kept that is not at the Chapter House?—In the late Carlton House Riding-house.

584. Is that a very convenient and accessible building?—Very far from it.

585. Sir *Robert Inglis.*] Is it not a building obviously one of a temporary nature, to which they were removed from the Mews; as to the Mews they had been removed from the temporary building at Westminster Hall?—Yes; that is the case; a temporary building, at least I should think so.

586. The *Chairman.*] How long have those records been in temporary buildings?—I should think at the least for ten years.

587. The temporary nature of those buildings is the cause of the excessively inconvenient mode in which they are kept?—They are limited for room, and the classification is not so perfect and entire as it would be if they were supposed to be permanently placed.

588. Constant removal of those records from one place to another has rendered them less available to the public?—No doubt, in a certain degree.

589. Is there any calendar to those Verdict Rolls of the Common Pleas?—No, except the Docket Rolls.

590. Are they similar to those of the Court of King's Bench?—Yes, but not so regular; there are more chasms in them than in the King's Bench dockets.

591. When there is a chasm in the Docket Roll, there is no clue whatever?—No, the Verdict Roll is then wholly shut up, except you get a reference from some private source.

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592. Sir *Robert Inglis.*] In point of fact, the custody of the records of each court is with the court to which such records belong?—Exactly so.

593. The *Chairman.*] Have the Judges much leisure for arranging these records?—Very little.

594. Do you suppose they would do it, if they had?—I should think they would be jealous of preserving their records in good order, if they had time and means; there are no funds to arrange them within the Judges' control, that I know of.

595. Do you think, if it should be established to the satisfaction of the Committee, that the only persons qualified to arrange them are the Judges, there is any chance of their so doing?—I should think not.

596. Are the Docket Rolls kept in good order, those that remain?—No, nothing can be worse than the Common Pleas Docket Rolls.

597. Do not those indexes, in fact, require some clue to themselves, or some very considerable time to be occupied in searching?—That is the case in the Common Pleas more particularly; formerly there were three prothonotaries of the Common Pleas, each of whom kept a distinct Docket Roll, so that you have to look through three bundles of dockets for each term, before you can get to the Verdict Roll of the term, in which Docket Rolls are entered the parties' names, and the county; and this practice continued down to 1770; so that the labour would be greater in searching them than the Verdict Roll. If I knew the term, I should prefer searching through the bundle of the whole term, containing perhaps 2,000 skins, rather than go to the Docket Roll.

598. Are those Docket Rolls in a state of good preservation?—They are dry; they are not decayed by damp, but in an exceedingly dusty and dirty state; filthy, I may say, unfit to touch.

599. Does not that filth have an effect upon the legibility?—Yes.

600. Are they accessible to vermin?—Not the Common Pleas Rolls.

601. The Right hon. *C. W. Williams Wynn.*] Are there not indexes kept by the clerk of the dockets of the King's Bench in vellum books in a regular order, from the year 1656, which contains the county in which the action is tried, the nature of the action, with the parties' names arranged alphabetically?—Yes, those are a continuation of the Docket Rolls; they were formerly kept in rolls, and from that period (1656) they are in books; that is the nature of the Docket Roll.

602. Mr. *Jervis.*] It is merely an entry of the action, whether assumpsit or trespass, or any thing else?—Yes.

603. The Right hon. *C. W. Williams Wynn.*] This is the Report of 1800, by the keeper of the rolls: "The indexes appear to have been entered on the rolls, some of which are supposed to have been lost or destroyed at the time of the Fire of London in 1666, there being in the clerk of the dockets custody only 66 bundles of rolls remaining, and some of them in part defaced; it is impossible to ascertain the expense of making new catalogues or indexes at the Tower, as it would require the constant labour of many persons for many years, who must understand the language they are written in, the ancient abbreviation, the court and other hands anciently used, as well as have other qualifications, of which there are at this time few to be found; and by far the greater part of such catalogues and indexes, if made, would be useless, as they would chiefly relate to entries of immense number of suits, actions and proceedings immaterial at this period of time." This being a Return made by the clerks of the Treasury, the custos brevium and recordorum of the King's Bench in 1800, do you conceive that opinion to be correct?—No, I do not altogether.

604. Mr. *Jervis.*] You are speaking as a practical man?—I have had occasion to lament the want of proper references; the gentlemen who made that Return are confined to their duties throughout the year, and could have no notion of the nature of searches; and any body who knows the nature of assize business now, could not say that the decisions there will not be valuable to be used hereafter by posterity. What takes place now upon questions affecting the right to land and real property, will be available hereafter, if care is taken of the records containing the verdicts. The records to which these gentlemen say there is no necessity to make indexes, are the proceedings of judges and juries at all the assizes throughout the country, and all the sittings in London for many centuries past; and I cannot conceive how they can say it would be of no use to make calendars of them. No doubt there is a great deal of useless matter in them, but a selection should be made; every thing that relates to real property might be selected; a great many of the decisions are doubtless in personal actions, and

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these it would not be useful to index. You might select from each year and each term what was really valuable; it seems to me to be of the highest importance.

605. The *Chairman.*] Is there an alphabetical index of persons?—Yes, there is of the persons; but it is very clear you must know the names of the parties in order to make use of that index.

606. Mr. *Jervis.*] Does it form a complete alphabetical index to the roll?—No.

607. If you wanted to find a suit in which Smith was a party, could you find it?—No, unless you knew the other party's name, and the christian name of Smith.

608. With reference to the Common Pleas, that Report states it would employ seven years a superintendent and five able assistants down to the year 1770. Assuming that to be perfectly correct, do you think that the object is worth that expense?—I think it is. I do not know any records at all approaching to the value of the Judgment Rolls and the Assize Rolls; they are records of the decisions of our courts made upon occasions when it is probable the most important of other documents then existing were produced.

609. Mr. *Hawes.*] Is there not in the British Museum an index to the manuscripts?—Yes.

610. Is not that found universally useful?—Yes, no doubt.

611. The *Chairman.*] Have you ever had occasion to consult the Verdict Rolls of the Exchequer of Pleas?—Yes.

612. Do they contain matters of the same nature?—Yes, but not to the same extent; there was less business in that court.

613. But as far as they go, they are of equal importance?—Yes.

614. Mr. *Jervis.*] The Exchequer Rolls are of more importance, being the Revenue Court of the Kingdom?—I have had less occasion to refer to them.

615. The *Chairman.*] In consequence of the jurisdiction of the Exchequer in matters affecting the Crown, and the antiquity of those rights in which the Crown is concerned rendering them more frequently matters in dispute in the present day than other ancient rights, are not those records much consulted?—I have not had occasion to consult them much, except as to the verdict of juries. I had occasion to search for the Duke of Portland, for a decision establishing a modus upon some land he was about to sell; the party purchasing wished to know the nature of the evidence establishing the modus; and as the Duke's solicitor knew within a year or two when the verdict in favour of it was pronounced, I succeeded in finding the record of it; but I was obliged to go through the Judgment Rolls for two years, as I could obtain no reference to the verdict from the Docket Rolls. It was by actual labour that it was discovered; and if I had not been furnished with a tolerably precise date, I could not have got at it.

616. Is there any better Index to those?—No, none; rather worse than the others, consisting of the same description of Docket index.

617. Mr. *Jervis.*] That Docket index is not an index made to facilitate searches, but is made by the party docketing the judgment?—Yes.

618. There is no thanks to the keeper of the office, it is done under the statute, the parties are obliged to docket their judgment?—Yes, that is the case.

619. The *Chairman.*] You said just now that they mentioned the nature of the cause; all that they mention is what is the legal denomination of the action tried; for instance, they mention simply whether trespass case, or assumpsit or ejectment?—Yes, nothing more than that; a general description of the action tried.

620. Mr. *Jervis.*] They say this, taking a general description,—take the case, it may be an action for slander, or an action for a disturbance of a fishery, or the disturbance of a way, or adultery, or any other matter without guiding you to the nature of the action?—Exactly so.

621. The *Chairman.*] In the same way, if trespass, you would not know whether it was for an assault or for the title to lands?—Not at all.

622. Are the dockets kept with regularity in the Exchequer of Pleas?—No; except when the books commence.

623. When was that?—About the reign of Charles II.

624. They are in bundles?—The Docket Rolls of the Exchequer of Pleas up to Charles II. are in bundles.

625. Is it true that the bundles of the different reigns are intermixed with each other indiscriminately?—The bundle of the Verdict Rolls of this Court are in great confusion indeed.

626. If there was a good index, it would be of very little use?—Very little, until the Judgment or Verdict Rolls were arranged chronologically.

627. It has been stated, that the bundles relating to the reign of Elizabeth are mixed up with those of Henry IV.?—Yes, that is so with the Verdict Rolls in the Exchequer of Pleas.

628. If in a Docket Roll you had a reference to a cause tried in a particular reign, in the first of Elizabeth, for instance, you would have to search among a bundle in which half the documents would relate to the reign of Henry the Fourth?—Yes, the reigns are mixed indiscriminately.

629. When does this Docket index begin in the Exchequer of Pleas?—In the time of James the First.

630. So that of all the verdicts of the former period you have no index at all?—No; though probably earlier Docket Rolls would be found if the records of this court were examined.

631. Is it perfect since the time of James?—No.

632. Are the intermissions frequent?—Very frequent and very long; in fact, it is almost impossible to search for an ancient verdict, unless you have a distinct reference to the number of the roll itself.

633. Where are the enrolments of the private conveyances of land and other descriptions of property?—They are enrolled in the Close Rolls in Chancery, which are kept at the Tower and Rolls Chapel; also upon the records in the King's Bench, Common Pleas and Exchequer of Pleas upon the same rolls as the verdicts.

634. Of the deeds enrolled in Chancery there is an index from the reign of John down to Edward IV.?—There is an Index Locorum, which seems to me the only valuable index that could be made as to deeds or any thing else; but this is imperfect.

635. With regard to these early records, you very seldom want the names of the parties; you chiefly want to consult them as to the property?—Yes, the place.

636. The Index Locorum is the one that is of importance?—Yes.

637. Is it a good one, from the time of John?—No, very incomplete.

638. From that period is there any index?—From the reign of Richard III. deeds enrolled in Chancery are kept at the Rolls Chapel, and there is a very good index indeed to them, if you know the parties conveying the property, and to whom it is conveyed, and the period; there is a list made every year of the deeds carried, in so far as regards the names, that is all.

639. From the period of the reign of Edward IV. there is no index locorum?—No, except for the reigns of Henry VII. and VIII. and selections from other reigns; but these indexes locorum are private indexes, and are considered the property of the executors of a gentleman who last filled the office of keeper of the records at the Rolls Chapel.

640. Mr. *C. Villiers.*] Which he made himself?—No, he bought them from his predecessor in the office, I believe.

641. The *Chairman.*] The only entry that exists is of the conveyance and the party?—Yes.

642. If you are wanting to hunt up information as to the subject-matter, it gives no information?—No.

643. Mr. *Jervis.*] Suppose you do not know the name of the party conveying, you may know the name of the ancestor; but if a conveyance was made to a trustee whose name you did not know, you have no means of finding the conveyance?—None whatever.

644. The *Chairman.*] If you wanted to know how any particular lands came into the hands of any particular body of individuals, can you do it?—No.

645. Does it often fall to your lot to have to make such inquiries?—Yes.

646. And all those inquiries are made uncertain and expensive by the want of such an index?—Decidedly so.

647. What index is there to the enrolled deeds in the Court of King's Bench?—Nothing but what is contained on those Docket Rolls, which refer to the deeds enrolled as well as to the verdicts recorded upon the Judgment or Verdict Rolls.

648. What is mentioned in the reference?—The parties' names and number of the roll; nothing else; not the county or the place.

649. There is no index locorum there?—None at all.

650. Is there any index locorum, or index of the names, to the enrolled conveyances in the Common Pleas?—There is an index of the parties and premises in each

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each deed enrolled, arranged chronologically, by which, if you know the date and the parties, you may find a deed, but not otherwise.

651. Mr. *Jervis.*] Are the places mentioned there?—Yes, but not alphabetically or topographically.

652. But not in the enrolled deeds?—No, there is no index locorum of that description.

653. The *Chairman.*] Of the deeds enrolled in the Exchequer of Pleas, is there any calendar?—Not any calendar locorum.

654. In fact, to all these enrolled conveyances, there is as little clue afforded by proper indexes as to the verdicts of courts of law?—Yes, that is the case.

655. Have you any further statement to make to the Committee respecting the difficulties you have met with in your searches, owing to the want of proper arrangement, proper calendars or indexes?—All my objection refers to the want of proper calendars locorum. Suppose I am searching for a grant to or a deed to a person of the name of Jones, I might find six or eight deeds or grants to persons of that name, and must have the trouble of inspecting them; but if there had been an index locorum, containing the substance of the deeds, I should turn to that I was in search of at once; and there is this inconvenience in addition to the trouble, that I am obliged to pay for inspecting all grants or deeds to Jones, although only one at all related to the object of my inquiry.

656. Mr. *Charles Villiers.*] How could you remedy that?—If there was an index of places, it would remedy it; if there was an index of places for the reign of Elizabeth, for instance, of all deeds between parties, and I knew that a conveyance had then been made of my property, I should search under the name of the place, and could not help finding it at once, without the expense and trouble of inspecting six or eight deeds made to persons of the same name.

657. The *Chairman.*] The difficulties, therefore, that arise from the want of sufficient calendars, are very much aggravated by the system of fees?—I think so.

658. In each of those cases you would not only have the trouble of making an ineffectual search, but also have to pay for it?—Yes.

659. You pay just as much for an effectual as an ineffectual search?—Yes.

660. Upon searching the record offices, have you found any cause of complaint with regard to the system of searching and fees?—The system of fees seems to me almost to amount in some instances to a prohibition to search.

661. Is it the rule at the Tower for every record looked at, a fee of 16*s.* 8*d.* is to be paid?—It is the rule strictly, unless you make what is called a general search, then you pay five guineas, and 6*s.* 8*d.* instead of 16*s.* 8*d.* for every document you look at; many of the documents you inspect prove to be of no possible use, but you must look at them, as they may refer to the place or the person you are inquiring about; then you pay 6*s.* 8*d.* for every document, besides the five guineas.

662. Dr. *Bowring.*] You give 16*s.* 8*d.* for access to documents specified, and five guineas where there is no specification, but for general inquiry?—Yes, and 6*s.* 8*d.* each; I have paid sometimes 16*l.* or 18*l.* upon an inquiry at the Tower, and got very little information.

663. The *Chairman.*] To whom are those fees paid?—They are paid at the office; I do not know how they are appropriated.

664. Dr. *Bowring.*] Is the delay considerable upon a general search?—No, every facility is afforded, and all despatch used. I hope the Committee will understand that I speak only of the system as objectionable, and have no complaint whatever to make of the gentlemen employed at the different offices.

665. Sir *Robert Inglis.*] Are you aware whether the fees received by the officers in the Tower constitute the whole of their income, as connected with the records, or whether they have salaries?—No, the officers in the Tower have salaries; the keeper of the records has 700*l.* or 800*l.* a-year, I think.

666. In addition to the fees?—I do not know how they are appropriated.

667. Mr. *Charles Villiers.*] You refer to Mr. Petrie?—Yes; I may be exaggerating as to the amount of salary; I do not know the exact amount.

668. Do you think it a good system, making the salaries of those officers dependent upon the fees that they can get from the public for searching?—No, I think not; where there are no salaries, and fees are paid, the system is oppressive; thus you are called upon to pay for office copies when a short extract would answer your purpose, in order to compensate the gentlemen who fill those offices, which is exceedingly oppressive; I have found it so. I have often been obliged

to

to take copies of documents at a considerable expense, for no other reason than that the rules of the office would not admit of extracts being made.

669. The *Chairman.*] Is there a fee upon searching the calendars and indexes in the Tower?—No, because they are printed.

670. But there is a fee upon making copies?—Yes.

671. Do they allow you at the Tower to copy part of a document?—They are very indulgent at the Tower; if you assure them it is not for evidence, they allow you to take extracts.

672. Sir *Robert Inglis.*] If it is for literary or antiquarian purposes?—Yes, or for other purposes; if I am making searches, they will let me put down upon paper the date of the documents I have been looking at, and a few notes of their contents, and not trust to my memory.

673. Mr. *Charles Villiers.*] That is owing to their being paid by salaries?—Yes, I suppose it is.

674. The *Chairman.*] At the Rolls Chapel are there important documents?—Yes, highly so.

675. Of all documents, those most important are those that relate to the breaking up and disposal of the monastic property in the time of Henry VIII.?—They are.

676. Of all documents, those are the documents to which most frequent recurrence is had?—Yes.

677. Most of those are in the Rolls Chapel?—All grants of that description are enrolled there.

678. What is the fee for inspecting any grant in the Rolls Chapel?—When you know the year and the name of the grantee, and call for the grant at once, the fee is 3*s.* 6*d.*, a very proper fee.

679. Suppose you do not know a particular grant, how do you go to work?—I should search under the initial letter of the party to whom I supposed the grant had been made.

680. What do you pay for that?—One shilling a year, for every year that I search, whether it be 50, 60 or 100 years.

681. Mr. *Jervis.*] In the course of that initial search, you find the name you think you want, and you take down that roll; what do you pay?—Three shillings and sixpence.

682. That roll does not satisfy you?—Very often it does not.

683. Do you pay for each ineffectual search?—Yes.

684. Mr. *Jervis.*] If you take a grant to Lord Leicester in the time of Elizabeth; rather a general subject of grants, was not he?—He was.

685. You might have to search through a great many before you found the one you wanted?—Yes.

686. Mr. *Charles Villiers.*] Is there any index locorum at Doctors' Commons, except of the dioceses?—No.

687. Is there any difficulty in searching for wills there?—Yes, as I have mentioned. If I am searching for a will of the name of Smith, I may inspect wills of that name in twenty instances, and must pay 1*s.* for every third one. I have often had occasion to search for wills and pay for them over and over again without finding them of the least use to me.

688. The *Chairman*] Is it not well known that Henry VIII. and Queen Elizabeth were in the habit of making very large grants to some of their favourites of various lands, such, for instance, as to Lord Leicester by Queen Elizabeth, and that Lord Leicester was in the habit immediately afterwards of regranting those properties to some other person?—Quite a common practice; to save the expense of crown grants, some grantee would ask a grant from the crown of various properties after he had made contracts with a hundred individuals to take sub-grants from him; the grant of the whole would be accordingly made by the crown to him, and then he conveyed them away, perhaps the next day.

689. Take a case where it is not likely that Lord Leicester would have a grant, but some minor favourite, whose name is not quite so well known, and suppose all I know of the property was, that an ancestor of mine had got it at a particular period in the reign of Henry VIII.; is it not exceedingly likely, in the first place, I might have to hunt through the index of names for the name of my ancestors for 100 years?—I think so.

690. In the next place, is it not very probable I might not find that name at all, the fact being it was granted to this favourite, by whom it was immediately regranted to my ancestor, and that the name I ought to have looked for was this

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person, of whose temporary possession of the property I had no knowledge?—Yes, you would fail in your search, and be put to very great expense.

691. Mr. *Jervis.*] A case has occurred in your recollection of that sort, a Welsh case, in which upon a late trial a very important document had escaped your notice, a grant of concealed lands?—Yes, from the want of an index locorum that grant could not have been found without an express reference to it.

692. You had searched upon four trials before it was found?—Yes.

693. Upon the fifth did you find it?—Yes.

694. It was a grant to trustees of lands belonging to the dissolved monasteries in a great variety of counties?—Yes.

695. Running to a very great length?—Yes, the copy cost 14*l.* or 15*l.*

696. All that was material in the grant was contained in six lines?—Yes.

697. Were you obliged to take a full copy?—Yes, because it was for evidence; if it had not been for evidence, they would have allowed me to have any part I wanted for five guineas, but being for evidence, I was obliged to take the whole.

698. That was a case where there was a re-grant the following day?—Yes, it was.

699. The *Chairman.*] Is there not an index locorum at the Rolls' Office, a private index?—Yes, to all grants, and to some of the private deeds.

700. By whom was this compiled?—I cannot imagine it could have been compiled by any body but one of the officers who had the custody of these records.

701. And who was an officer either by fees or salary in the public pay?—Yes.

702. Do you think such a calendar as that ought to have been considered private property of the officer, and to have been bequeathed by him?—I cannot conceive how it came to be so considered.

703. What fee do you pay for consulting those?—For consulting the private index to the grants you pay five guineas.

704. There is another private index to the grants of the lands of the crown, bishops, deans and chapters made by the trustees appointed by the Commonwealth Parliament to sell those lands?—Yes, there is a private calendar to those grants.

705. Could that have been compiled by any but a public officer?—It must have been compiled by a public officer at some time or other; when it was I cannot tell.

706. Is a fee demanded for that?—Yes, two guineas. There is another private calendar, containing an account of the fee-farm rents sold in Charles the Second's time, and you pay two guineas for the inspection of it.

707. May it not sometimes happen you have occasion to look through all those calendars before you find the property you are searching for?—We are not allowed to search them ourselves.

708. Might it not happen you would have to consult those three calendars, and pay those three sets of fees, amounting to nine guineas, with respect to one property?—Yes.

709. Might it not happen, after all, you would not find the information you wanted?—That is very rare; I think you would find what you wanted in one of those calendars.

710. Mr. *Charles Villiers.*] Do you tell the officers what you wish to search for, or do you specify the calendar?—You tell him the object of your inquiry, and he lets you know the result in two or three days.

711. The *Chairman.*] You have not the calendar in your hands?—No.

712. Mr. *Charles Villiers.*] Though he looks through the three calendars, you pay no more?—Yes, you do.

713. He tells you that?—It very seldom happens that you have to search through the three. If I wanted to search when a fee-farm rent reserved in a grant of lands to my ancestor had been sold, search would be made in the calendar of the fee-farm rent sold.

714. The *Chairman.*] After you have acquired the information that those calendars give you, have you to search the documents themselves?—Yes.

715. For that you would never have to pay more than 3*s.* 6*d.*?—Nothing at all; the inspection of the documents is included in that five guineas; I think so.

716. After this, are you allowed to make notes of the contents of those documents with the same liberality as in the Tower?—They allow no notes or extracts whatever to be taken of their documents at the Rolls Chapel.

717. Mr. *Charles Villiers.*] They allow you to transcribe?—No, you must not put pen to paper.

718. May you not take a copy of the whole document?—Yes, but you must pay for it; you must take a copy of the whole, unless the copy would come to ten or twelve guineas; then you might take an unofficial copy for five guineas, but you cannot make use of it.

719. Sir *Robert Inglis.*] But upon inquiries not connected with law, but with literature, is the rule so strict?—I believe they are very indulgent to literary men.

720. Mr. *Charles Villiers.*] Is there any reason why they should be?—No; it deprives them of their fees, and they have no salary at the Rolls Chapel.

721. What is paid by the solicitor they know is paid by the client, whereas with literary men there is no client?—Certainly.

722. The *Chairman.*] Have you found in your practice that clients have no objection to pay any amount of money?—I am sorry to say I have had my bills questioned where the sum paid for office fees has been large, and I have been injured by it; no doubt gentlemen are unwilling to employ persons to make searches where the fees are so heavy.

723. Is it not in point of fact a very heavy tax upon the administration of justice?—It seems to me that it is so.

724. Mr. *Charles Villiers.*] Are you aware of a case in which 140 guineas were asked for an extract at the Rolls Chapel?—There are two or three documents which would cost that sum in copying, 120 or 140 guineas, and if you wanted it for evidence, you could not do without it.

725. Are you aware of the particular case which raised the question as to the right they had to charge?—No, I am not.

726. Mr. *Jervis.*] You say for evidence it is necessary; it may be necessary for evidence to have the whole, to judge of the context?—Yes.

727. That may be avoided, by the parties admitting upon summons that such and such was a true copy, and in that way the extract that was alone material might be produced before the jury of six lines?—Yes, if the parties agreed to it.

728. But if the parties agree to that, will the officer in the Rolls Chapel keep you to it, without taking a copy of the whole?—Supposing the copy would cost 8*l.* or 9*l.*, they would not if it would cost 10*l.*, then they would grant you an extract.

729. What is the limit they put upon it?—Between 10*l.* or 12*l.*; they look a the length of the grant; it may be as long as half this table, written very closely; they say it will be at least 10*l.* or 12*l.* the copy, and you may have an extract; if it is under this amount, upon a rough calculation, they say, you cannot have a copy of a part.

730. So that if it comes within 10*s.* you must have the whole; but if it is 1*s.* over, you may have an extract?—Yes, but they will not let you compare it.

731. Sir *Robert Inglis.*] And that would not be legal evidence?—No.

732. Mr. *Jervis.*] They will not let you examine it?—No.

733. The *Chairman.*] The greater part of the grant very often refers to property distinct from that in which you are interested?—Yes, perhaps in all the counties in England.

734. But all that relates to it you are obliged to have extracted?—Yes, if it comes within the rule I have mentioned.

735. Sir *Robert Inglis.*] Does the necessity which you allege to exist, of having a transcript of the entirety of the document, arise from any rule in the House of Lords, or in any of the courts, or does it arise from a mere arbitrary regulation of the keepers of the respective record offices themselves?—I should say from the rules of the office.

736. In the House of Lords, sitting judicially, would an extract be sufficient for the purposes of evidence, or would they require the entire document, or a certified copy thereof, to be produced?—The House of Lords and Commons always require the originals to be produced.

737. The *Chairman.*] With respect to the Houses of Lords and Commons, the original record is always brought to them?—Yes, Parliament is the only tribunal that insists upon original documents being brought before it.

738. Sir *Robert Inglis.*] The expense of removing them, whatever it may be, arises not from the will of the keeper of the records, but from the decision and the requirement of the superior tribunal?—Yes, but it falls upon the parties; the record officer charges a guinea for each record taken to either House of Parliament.

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739. With respect to the courts of law, does your answer apply there that they would require the production of a certified copy of the entire document?—I do not think it does; in many instances, if the parties agree to admit an extract, the court would not object to it; I never remember an instance occurring; at the same time, I must say I think it desirable in most cases that there should be a full copy of the document before the court, that they may judge from the context what is the real bearing of it.

740. Where parties agree to an extract the case is different; but where there is any difference between the parties, you think the court ought to have a full copy of the document?—Yes.

741. The *Chairman.*] When the records are brought to either of the Houses of Parliament, do not those who bring them charge a fee?—The officer charges a fee for producing each document.

742. If he has to bring one document, he charges a guinea, and if he has to bring ten he charges ten guineas?—Yes, and, independently of that, you are obliged to pay the expense of an office copy of each of the records produced, although they will never be used or called for; the rule is supposed to arise in this way: suppose that shortly before a hearing at the House of Lords I find that ten documents will be required, I go to the office, and instruct the officer to produce them next day. He informs me that I ought to have given more notice, in order that the rules of office might be complied with, of making copies of such documents as are required for evidence; but that the original documents will be produced if I will undertake to pay a guinea for each document, and the expense of an office copy of each afterwards.

743. You have to pay in those cases a fee for an office copy that is not wanted, and a fee upon every record that is brought down?—Yes.

744. By whom are those fees paid?—By the suitor, or the attorney employed.

745. If it should happen that a record is not used from the House not meeting, or any accident of that kind, the day it is brought down, would the same fee have to be paid upon its being brought again?—Yes, for every day's attendance.

746. Do you know any instance of that?—Yes, I had been engaged just before the Reform Bill passed, which put an end to the chief occasion of our interfering in those matters. I was engaged upon the Denbigh petition and also the Marlborough, where I paid the officers at that rate.

747. Had you ever occasion to have the same documents brought down twice?—Yes, day after day.

748. And day after day you had to pay the fee?—Yes; I do not recollect paying for office copies afterwards, because I had them before.

749. But you had to pay for the bringing them down?—Yes.

750. Sir *Robert Inglis.*] Do the Committee understand, if you want a few lines of a particular instrument transcribed, and apply to copy it yourself, you must order an entire copy of the record?—Yes, if it was under 12*l.*

751. Not if it was 140 guineas, as has been stated?—No, you pay five guineas for an extract in that case. I often look at a grant, where it would be of great importance to me to take an extract, if I did not want it for evidence, but for my information merely, I should have to pay five guineas, which presses very hard. In the case of inquisitions *post mortem* at the Rolls Chapel, you are not allowed to have an extract at all, but must have a copy of the whole, however long it may be; and in numerous instances the copy of an inquisition would cost from 10*l.* to 15*l.*, in some others much more.

752. Mr. *Charles Villiers.*] Do you know when the rule was established at the office, that you should have an entire copy, when you wanted only part?—It claims great antiquity, the officers say.

753. You are not aware of any question having been raised lately as to their right to make the charge?—No; there are orders made by the Chancellor as to the amount of those fees. Mr. Illingworth, a gentleman who is the most acquainted with record offices, their defects and abuses, and of whose experience I regret the commission has not availed itself, has looked into and written upon the subject, and can speak more accurately than I can about it.

754. The *Chairman.*] Property is often conveyed to a great number of trustees?—Yes, by an individual.

755. Suppose you knew that a particular property had been granted to five trustees between 1560 and 1570?—I should be placed in great difficulty. I should be almost sure to be put to considerable expense in searching for the deed.

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deed. Suppose a property conveyed from A. to B., the index would be under the letter B. Suppose it was conveyed to B., C. and D. and several others, if I did not find it under B., I should search under C. They only enter references to deeds under one name of the grantees, and I might have to search under the whole of the names for ten years. In that case the rules of the office would treat the search under each name as a distinct search.

756. So that you would have to pay for fifty searches?—Yes, if there were five trustees; the case has often happened to me. I tell the office that it is the same deed, the same parties names, and the same property that I am searching for, and not different deeds; but the gentlemen there, who seem to lament the rule, are obliged to enforce it, and I pay accordingly.

757. Have you ever had occasion to consult the documents in the Petty Bag Office in the Court of Chancery?—Yes.

758. Is there an important collection there of documents relating to proceedings that have taken place at various times under Acts passed in the 43d of Elizabeth, to inquire into the funds granted for charitable purposes?—Yes, there is a very useful collection of decrees under that Act.

759. Do those returns show for what objects various charity lands in different parts of the Kingdom were granted, and how they have been administered?—They give the fullest information upon that subject; when the lands were granted, what they consisted of, for what purpose they were granted, and how administered up to the time the inquiry took place.

760. In this collection are there returns relating to all the charities?—Not to all, but to a great many charities, in different places in different counties.

761. It does not contain all counties?—No.

762. That return is so important, that if you had to make inquiries as to a particular charity, you would wish to consult those returns upon the chance of knowing whether it was there or not?—Yes; I was employed within this month to inquire into some charity lands at Paddington; I wished to consult the references to those records, but the fee was five guineas, and I was rather limited as to expense; I left it to the parties whether they wished me to pay this fee of five guineas; they declined it. It is impossible to say whether these records might not have given me more information than any other documents I could refer to.

763. There is an index locorum to that?—Yes.

764. A very good one?—Yes.

765. What prevents you searching it?—The expense of five guineas. I might find something valuable, or I might find nothing; and I therefore seldom incur the expense without the sanction of the parties interested.

766. These high fees upon searches, which may or may not be useful, impose a very heavy responsibility upon you?—Yes, they do; I often do not know what to do; if I make the search, I incur that expense, and perhaps find nothing; and if I do not make the search, I probably pass over some information that might be extremely important.

767. Is it your opinion that the commission might have done great service, if they had regulated those fees, and proposed reforms in those offices?—Looking at the objects that I am daily pursuing, I cannot conceive that they could have employed themselves more beneficially for the public, so far as I represent them, than in making complete calendars, and lessening the expense of searches.

768. Since the present Record Commission has been in existence, have any of those defects been remedied?—With the exception of the Augmentation Office, the record offices remain as they were ever since I knew them.

769. Have they made any calendars in the Tower of the rolls?—None, excepting the Close Rolls of the reign of King John; and they are going on with similar calendars, I believe, to the Close Rolls of succeeding reigns.

770. Who is making that?—Mr. Hardy, who is eminently qualified for it.

771. Are the fees lessened?—The fees are just as they were, except at the Augmentation Office; since Mr. Caley's death there has been a very great change there for the better, as regards the fees, and I should say as regards the preservation and arrangement of the records.

772. Do you know upon what authority those fees were lessened in that office?—I do not.

773. You do not know whether they were lessened by the keeper?—There has been no keeper appointed since Mr. Caley's death.

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774. So that the arrangement there for lessening the fees is one upon which the public can hardly rely for its continuance?—No, unless the office is put upon a permanent footing.

775. In all these particulars, except at the Augmentation Office, you have remarked no improvement since the present commission came into operation?—None that I am aware of.

776. Do you recollect the condition of the Augmentation Office in Mr. Caley's time?—I had occasion sometimes to see it, but it was only occasionally we were admitted there.

777. Was the office in a clean and creditable state?—I should say very far from it.

778. Was it particularly dirty?—Dirty and dark, and any thing but what it should be for a place of resort for the purposes of searching.

779. Do you think the documents were likely to remain in a perfect state of preservation there?—I should think not; the mode of their being treated would prevent that; if you wanted a record, you were obliged to apply to Mr. Caley, at his private house.

780. Where was that?—In Spa-fields; Exmouth-street, it is now called. You told him the object of the inquiry; he would send down to Westminster, and, Mr. Gay, his man, would bring back the records you wanted.

781. Was Gay at that time his servant?—He acted at one time as his servant.

782. Was he his footman?—He was a domestic servant, I believe.

783. If a record was wanted, you had to go to Mr. Caley at the other end of the city, and he sent his servant down to the Augmentation Office to look for these records?—Yes, but it is right to state that Mr. Gay was competent to find the records you wanted by their general title and description.

784. Did you generally get all the records you applied for?—After an interval of two or three days; for after he had brought down one bag full, I might look at them, and find I wanted more, and then I came another day. A great deal of time was consumed by that system.

785. And you think that this mode of dealing with the records tended to injure them?—Yes, no doubt, for they were thrust into bags, and kept in Mr. Caley's room in Spa-fields in a very careless manner, as well as in a state likely to injure them; thrown under presses, and the ends of them trampled upon; I have seen the effect of that by many of them being in shreds and torn.

786. And the dirt they were constantly subject to in the office would render them illegible?—Yes, the outsides of them were quite so, where they were exposed to dirt and friction.

787. Had Mr. Caley any calendars?—Yes, private calendars.

788. Do you know when they were compiled?—No, Mr. Caley never would allow any access to his calendars or to any records, except those sent for to his private house for the purpose of inspection.

789. The calendars were kept at his private house?—Yes.

790. Mr. *Charles Villiers.*] Do you know that it is the practice in those offices where records are kept, to keep indexes of modern records for the benefit of the public in future?—I think that is partially the case, but not to any great extent.

791. So that in future if things were to go on as they do now, there would be the same difficulties as now?—Yes.

792. The *Chairman.*] Have you any recollection of Mr. Caley's arrangement of the documents at the Augmentation Office and Chapter-house?—I have seen them occasionally; they were not arranged chronologically, but were in disorder, yet, with the help of Gay, you generally got the documents you wanted.

793. Were the documents arranged topographically?—A general topographical arrangement I should say there was of some of the records, but not of all; for instance, the ministers' accounts for Yorkshire were put together.

794. Was it either a good chronological or topographical arrangement?—Neither.

795. The documents so arranged were bound up?—They were tied up in bundles.

796. Some were bound?—Yes, the conventual leases and the Cartæ Antiquæ were bound up in books.

797. Were the seals of those documents bound up in the volumes, or cut off?—They were not annexed to the documents bound up in the volumes. I cannot say whether they were cut off.

798. There

798. There were no seals to them?—No.

799. So that, in fact, the only clue you had to documents arranged in so imperfect a manner arose from the calendars in Mr. Caley's possession?—Yes, or from private references, which I might procure elsewhere.

800. The arrangement was not a sufficient guide?—You saw nothing of the records themselves, therefore the arrangement was no guide at all to the public.

801. Do you happen to know any thing of Mr. Cole's arrangement?—I have known Mr. Cole for about two years past, while he has been employed at the Augmentation Office, and it seemed to me that the arrangement he was making there was a very beneficial one.

802. Was there any difference between Mr. Caley's arrangement and Mr. Cole's?—Yes, the ministers' accounts were classed chronologically and topographically, and then they were in a much better condition; they were bound up and labelled, and being put in different presses, were easily referred to; there was an improved state of the office altogether; the court rolls of the different manors, of which there is a great collection, were placed together in portfolios and spread out, so that they might be referred to in five minutes alphabetically. I believe the chronological arrangement has not gone very far; there is a great number of them, and it would require a considerable time to do it; the great advantage now is, you can tell whether there is a ministers' account of the year you want, as there is a printed index of the ministers' accounts for the different monasteries, and if it is in existence, you can get at it now. We had no means before of knowing whether an account existed for a particular year, but now we have.

803. Are not the documents relating to any particular property, for any particular period of time, brought together much more nearly than they were before?—Yes; for instance, the documents relating to any particular monastery, before the dissolution, of which there are many, are brought together, and are exceedingly useful. In Mr. Caley's time, these, with court rolls and other documents, were kept together without any arrangement, and could be referred to only by a numerical index.

804. The mere circumstance of their being brought together very much facilitates the search?—Yes; before, they were among a mass of records, called Miscellanea.

805. And the only clue to them was the index in Mr. Caley's possession?—Yes, the only knowledge of them was to be derived through him.

806. Was his calendar a perfect one?—He gave us no information at all about it; I know it was usual to wait two or three days before you got any document, though it was a minister's account.

807. Do you happen to know the longest period of time that a search for any particular property ever took in Mr. Caley's time?—It varied very much; I have known that a search has been prolonged through a fortnight, as I had first to call upon Mr. Caley, and ask him to produce me the ministers' account of such a religious house; in a few days he would produce two or three. If I found they would not answer my purpose, he would be obliged to send for more from Westminster, and then there was the same delay again, and probably those produced last would lead to another search for conventual leases; and in this way the search would extend to 10 days or a fortnight; all, no doubt, arising from Mr. Caley not being upon the spot, and from my not being aware of what there was in the office.

808. During the time that Mr. Cole has been in the office, what time would such a search take?—You would go at once to the records, and say what you wanted, and it would be produced in a few minutes. After the fire, for about six months, there was great confusion and, of course, delay; but now there is perfect facility in getting through a search in two days.

809. The arrangement helped you to what you wanted to find?—Yes; the Court Rolls being brought together alphabetically, is a great advantage.

810. Sir *Robert Inglis.*] From six months after October to what date does this apply?—I should think down to the present time; I am not quite aware how long time the arrangement took. I recollect seeing great interest and anxiety evinced by Mr. Cole, Gay and others in the preservation of the records the next day after the fire; they were very soon put into much better order than I could have supposed from the great confusion arising from their being thrown out of the window, and dispersed in all directions.

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811. The *Chairman.*] You are decidedly of opinion that Mr. Cole introduced a material improvement in the arrangement of the documents in the Augmentation Office?—Decidedly so; both as regards preserving the records, and facilitating the searches, and also in another not immaterial point, that is, lessening the expense. I used to pay Mr. Caley three or four guineas, while one guinea, or less, has sufficed under Mr. Cole's management of the office.

812. This improvement in the arrangement must have required, I should suppose, the superintendence of an educated man, a man of methodical and rather logical mind?—No doubt of it.

813. You say you know Mr. Gay?—Yes.

814. What is your opinion of him?—I think him an exceedingly useful man, and I should be very sorry to see him removed from the office, knowing, as he does, each description of the records deposited there, from his long acquaintance with the office.

815. Do you think he would be a valuable person to work in arranging the records, under a person capable of superintending the general arrangement?—That would be his post, and which he is qualified to discharge.

816. And well qualified?—Yes.

817. Do you think he is a person, from his education and experience, calculated to superintend the methodical arrangement of the records?—No, it is quite out of the question.

818. Do you suppose he knows Latin?—No, I am almost certain he does not.

819. All the knowledge he can have with respect to the nature of the records is merely the knowledge he has picked up in regard to the meaning of the words that most frequently occur?—That is all; he is a most deserving man, and I should be sorry to say a word in disparagement of him.

820. Sir *Robert Inglis.*] Has he ever made official copies for you?—Yes, occasionally, of short documents in English; when I have wanted any thing in Latin, he has told me he could not do it, and that he must get Mr. Cox, Mr. Caley's late assistant, to do it; nor would he examine any Latin document with me, but referred me to Mr. Cox or Mr. Caley.

821. The *Chairman.*] Do you not think the work of arranging a great mass of records in a convenient topographical and chronological arrangement, is a work in which an educated and a rather reasoning mind is required?—I think so, and particularly a man who can read records; now Mr. Gay does not profess to read records; it requires a man to arrange them, who has some knowledge of their contents.

822. Then, on the whole, admitting Mr. Gay's perfect competence for the work proffered to him, you do not think him a man capable to superintend the general arrangement of the records?—I am confident he is not able, and I do not think he would undertake it.

823. Do you happen to know any thing of the accounts of the land revenue, and what state they were in in 1800?—They were in a tolerable state of arrangement, and were to be referred to, although not very minutely classified. They were in the long gallery in Westminster Hall before that building was pulled down, and then they were removed to the shed in Westminster Hall, where they were kept for some time, mixed with other records, and the arrangement entirely gone.

824. How are they now?—They are just in the same state, mixed up with the King's Remembrancer's Records, and totally inaccessible; although there is a general calendar to them, there is no possibility of getting at them.

825. In fact you know this, that at the period when the commission for the preservation and arrangements of those records was first established, those records were in a very good condition, and were arranged, and that now they are in an exceedingly bad condition, and exceedingly ill arranged?—Those records are perfectly inaccessible; but there are other records of this office in very good condition, kept by the officer, in his own place of business.

William Illingworth, Esq. called in; and Examined.

W. Illingworth, Esq.

826. YOU have had a long experience connected with the Public Records?—Very long indeed.

827. As a solicitor?—I have been a solicitor 50 years; but I have been in the record line between 35 and 40 years.

828. In the same way as Mr. Hewlett has stated, you were consulted by other solicitors whenever it was desirable to make a search for ancient records?—Yes.

829. Under

829. Under the old board you were a sub-commissioner?—Yes, for nearly 20 years.

830. What were your duties as a sub-commissioner under the old board?—In the first place, my appointment was for transcribing and collating the Statutes of the Realm, the great edition, which I did, I believe, from Magna Charta nearly to the end of the reign of Henry VIII., and assisting in correcting the press; also in transcribing and printing the Quo Warranto Rolls, and the Hundred Rolls. I was sent from office to office by Lord Colchester; he used to term me his disposable force. I was not confined to any particular office. I made a general arrangement of the records in the Chapter House; I was there nearly seven years. I also went with Mr. Tomlins to all the cathedrals in England and to Ireland to search for original statutes, many of which are not on the Statute Roll at the Tower, and also to inspect the state of the records in Ireland. I also made a digested Index in Latin of the Abbreviatio Placitorum. Mr. Rose was then keeper there. I was also nearly 15 years deputy keeper of the records in the Tower, which I resigned upon Mr. Petrie being made keeper, as he would not continue me as deputy. I might be his clerk; but I did not choose, as a professional man, to remain under him under that denomination.

831. Sir *Robert Inglis.*] The Mr. Tomlins you have referred to, John Alexander Luders, Mr. Caley, Mr. John France and Mr. Thomas Brian Richards, were the persons you were joined with?—Yes, and the late Mr. Justice Taunton. Mr. Caley never did any thing there but sign his name to the transcripts which Mr. Brian Richards and I made; he received the same salary as we did, but did no more than sign his name four times a year.

832. Did you and Mr. Caley jointly edit the Testa de Neville?—It was transcribed by a man of the name of Simpson, who was a writer in the Exchequer. The Testa de Neville, or rather the Liber Theodorum, it is not the Testa de Neville, as I stated to Lord Colchester; but it being in the custody of Mr. Foote, of the Exchequer Office, he was paid for it. I examined the transcript with the books, not with any rolls, which I understand have been since found. Mr. Caley corrected the press.

833. The *Chairman.*] Have you been employed as a sub-commissioner under the present board?—No; I was to have been employed; I gave the secretary under this board all the information I possibly could; and I was verbally engaged, I may say.

834. You were verbally engaged?—Yes, at a salary of 400 *l.* a year.

835. For what purpose?—As they said, not for my hands, but for my head, as I had been concerned so long in it, and to assist in attending the different offices, seeing that the business of arrangement was going on properly from time to time as Mr. Caley did during a part of his time.

836. In fact the duties proposed to you were pretty much of the kind specified in the commission as the duties of sub-commissioner?—Yes; I was to be engaged from Christmas 1832; I gave Mr. Cooper all the information I possibly could upon the subject of the records, and he had a great many manuscripts from me.

837. Did you ask the secretary for a written agreement?—I asked him when I was to have the appointment. It was proposed to be 400 *l.* a year, and I objected to it, because I thought a daily attendance, or a very considerable attendance would destroy my practice as a record agent; for I had not practised *quasi* solicitor since 1800, because my attendance at the Tower deprived me of my practice. I stated 400 *l.* a year was not adequate; he wished me to consent to it, which I did. He mentioned it to Mr. William Brougham, and Mr. Ker and the Chancellor. I met Mr. Ker, and told him the same, and Mr. Ker told me they would make it up to 500 *l.* a year.

838. But the arrangement was never carried into effect?—No, which I thought exceedingly strange.

839. You have not since been in the employment of the board?—No, nor been paid for any thing that I did.

840. Did you supply Mr. Cooper with any information or any materials for any works since published by the commission?—He employed me to examine Mr. Bailey's bills at the Tower, and to advise him upon numerous points, and also I was employed to make observations upon the general state of the records; but that was rather previous to this arrangement.

841. A book has been published by the commissioners, called "Cooper on Public Records;" were any parts of the materials of that work contributed by you?—I should say several parts in both volumes.

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842. Is it acknowledged in the work that you were the author of that portion of the work?—No; I should state that those were reports that I had made to the former commission from time to time, and therefore those original reports would lie with the secretary; but I had collected them into two volumes, and had them transcribed by my amanuensis, at an expense of 10*l.*; they were handsomely bound, and I lent them to Mr. Cooper, saying, he might make use of them as he thought fit; and I thought he would do me the justice to say he had them from me.

843. The use he has made of them is to put them into a work printed with his name?—Yes.

844. Has he let you have the originals back?—I asked him for them, and he refused, and said I gave them to him; they are of no particular value, but I should have liked to have had them back again.

845. Did you supply Mr. Cooper with a proposal for building a record office, judges' chambers, &c. upon the Rolls estate?—Yes, that was entirely my plan, with all the calculations.

846. Did you hit upon the plan for paying for the building out of the Suitors' Fund?—Yes.

847. That plan was afterwards published by Mr. Cooper, was not it?—Yes, in an address to Lord Dover it was.

848. Was it published as his own work?—It was amplified; after having drawn it up, I attended Mr. Cooper, and we arranged it; he gave better language than I had made use of, being a better scholar, and then showed it to Lord Brougham, and he approved of it very much, and said it was to be made a cabinet measure.

849. It was not made a cabinet measure?—Not to my knowledge.

850. In the publication by the commission, was any part of this work that you say was almost entirely yours attributed to you?—No, there is no mention of my name to my knowledge. The publication of the letter to Lord Dover was lent to me, and I read it over, and returned it, and my name was not mentioned; but Mr. Cooper said if such a measure was carried into effect, I should have an establishment in it under him.

851. Nobody, in fact, from reading the work would suppose it was the work of any body but Mr. Cooper?—Certainly not; and the removal of the King's Bench Records from Westminster, where the Master of the Rolls sits, was my suggestion, that it would make an excellent court for his Honor, all which I told Mr. Cooper.

852. You say you made inquiries respecting Mr. Bailey's bills at the Tower?—Yes.

853. Did that take up much time?—It was more particularly respecting his impositions upon the Corporation of Liverpool, to whom he charged between 3,000*l.* and 4,000*l.* for searches. It was in order to show his impositions; I made an application to the mayor and corporation for the bills, and they were printed in columns with my observations, that he had charged double the fees he had paid at the Tower and all other offices.

854. You also compiled observations on public records in the four courts at Westminster, &c. to which your name is attached, and published by the commissioners?—Yes.

855. Was this under the commission of Lord Brougham?—At the particular request of Lord Brougham; he wrote to me from Brougham Hall.

856. Lord Brougham declared to you his intention of sweeping away all impediments and abuses, did he not?—Something of that sort was in the letter.

857. Have you received payment for those various works you have mentioned?—None.

858. You have got nothing for all this, except the promise of being engaged as a sub-commissioner, at the salary of 400*l.* a year?—Nothing.

859. But that promise has not been kept?—Never; Mr. Cooper having got all the information he wanted from me, I presume he did not want me again.

860. Do you think that the commissioners have fulfilled Lord Brougham's promise, of sweeping away all impediments and abuses?—Certainly not. My statement, that lies before the Committee, will show, that what I have stated there ought now to be done, and ought to have been done originally.

861. Have those matters of which you complain in this work been rectified?—Not at all.

862. You

862. You state that it was one of the objects recommended in the Report of the Committee, upon which the original commission was founded, that the calendars and indexes, which were the private property of the respective officers intrusted with the keeping of the records, should be purchased for the public use, and appropriated to that purpose?—Yes.

863. And that indexes should be compiled and printed?—Yes.

864. Did the old commission fulfil those duties?—No.

865. Has the new commission fulfilled them?—Not to my knowledge.

866. You have stated here, that the noble persons, the officers of state, named as commissioners, were generally persons unacquainted with the subject intrusted to them, and therefore they naturally looked to the secretary alone for information and advice; and you state that this is the cause of the previous neglects of the old commission; are you still of that opinion?—Partly so; the present commission is constituted differently.

867. Are you still of that opinion as to the old commission?—They were generally members *ex officio*; Lord Colchester attended, and I believe an honourable Member I have in my eye also attended very much; there was a great deal done by many of them, but it is impossible that they, like practical men, could know what ought to be done upon every occasion; they would necessarily resort to such a man as Mr. Caley, who was certainly a most able man, the most able upon records I ever met with.

868. But you think it was the fault of the old commission that they left too much to the secretary?—Yes.

869. Has the new commission rectified that?—Not to my knowledge; I have been out of London for two years, in consequence of ill health, and I do not know what has been done.

870. By the transactions you have had with the commissioners, which you have detailed, do you think too much was left to the secretary?—I think so; I have gone into each particular office, and shown what ought to have been done, and the omissions.

871. Do you think keeping those records in proper order, and making them accessible to the public, is of importance to the public?—Yes.

872. Both with regard to those who require historical information as well as for suitors at law?—Yes, more particularly for the suitors; I have had more experience upon these matters than all the other gentlemen put together.

873. Do you think the practice of allowing clerks in the different record offices who are paid salaries by the Government to make indexes and transcribe office copies, also to act as record agents, and attend the courts and committees on election cases and at the assizes, instead of doing their duty at the several offices, is a proper practice?—I think not; but I ought to state this, that I fell under that description of persons, but then I was an old solicitor, and I accepted my place under Mr. Lysons upon that express condition, and I believe that establishment would not have been made by Mr. Pitt had I not been employed.

874. As a general rule, you think the practice is improper?—Yes.

875. In your own case it was deviated from, because you would not have taken the office of record keeper without?—Certainly not; I gave up a great business; I was solicitor to a number of high houses.

876. Do you think it desirable that all the records of all the courts should be concentrated in one building?—Certainly, both for the convenience of the suitors, and to avoid loss of time and expense.

877. Sir *Robert Inglis*.] Could that be done without an Act of Parliament?—I should think not.

878. The *Chairman*.] Has not the want of a general record office been felt ever since the establishment of the present commission?—Yes; I took my idea from that at Edinburgh.

879. Do you think since that period there has been time enough to get an Act of Parliament through the two Houses?—I should think so.

880. Mr. *C. Villiers*.] Are you aware that a Bill was drawn giving effect to your plan?—I did not know of it till the other day.

881. The *Chairman*.] Is it not a common practice for the clerks to carry records from their depositories to their own houses and to different offices?—Yes.

882. Do you think that a proper practice?—No, it is very wrong indeed.

883. Do you not think that it makes the records liable to great embezzlement and

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and damage from carelessness?—Yes, and I should say that they lose their validity as evidence.

884. Dr. *Bowring*.] Does that practice exist at present?—I do not know.

885. The *Chairman*.] Have you ever seen records in a law stationer's shop?—Yes, in my own law stationer's, Mr. Cox, who is dead; I never took a record out of the office except to Parliament; the prerogative of Parliament requires the production of the record itself.

886. The Judges are so much aware of the injury done to records by removing them, that, except where the prerogative of Parliament interferes, they are very averse to let them be carried out?—It is never permitted; I should say they would not be evidence out of the depository; A. may want it at York, and B. at Westminster.

887. Mr. *C. Villiers*.] You are alluding to records that may be matter of evidence?—Yes; I recollect, in the great cause respecting Windsor Forest, the Attorney and Solicitor General wished the records to go down; I protested against it, and said that the records could only be evidence by examined copies.

888. Are there not places where the officers attend with the originals?—I never knew it, except in Parliament; I applied to Sir William Grant, and he said no, they should not go down, they should not be removed, except in cases in Chancery.

889. Answers in Chancery are taken down?—Yes, in cases of perjury.

890. The *Chairman*.] Do you mean that the records have been frequently removed for the personal convenience and under the authority of the keepers to their own private houses, and under merely their own superintendence, when they were not allowed to be carried into courts of justice for legal purposes?—Yes, I have seen them at Mr. Caley's for many, many years together.

891. Very often in situations not adapted to them?—Certainly; I believe he kept the first roll of every monastery after the dissolution of them at his own house.

892. In speaking of the Tower, you state in this pamphlet that for a long time part of the records were kept in a most disgraceful state, being rolled and twisted in bundles, and covered with dust and filth?—Those are the inquisitions *post mortem*.

893. And the writs and returns of Members to Parliament?—Yes, they were kept in an open locker, and very badly arranged.

894. You state that the inquisitions *post mortem* were squeezed and folded up in wrinkles, so as to be in very many instances totally illegible?—Yes.

895. This state of things has subsisted for a long period, since the record commission was originally established?—Yes, all the time I was there; I was there long before I was deputy keeper, in transcribing the statutes.

896. Do you know when it was remedied?—No, it is since I left; whether it is remedied now or not, I do not know.

897-8. Dr. *Bowring*.] How far does your own knowledge go; for how many years did they continue in this condition?—Till very recently; whether Mr. Petrie has put them into a better situation, I cannot tell; I was not allowed to go into the record rooms since I ceased to be a record keeper.

899. When did you cease to be a record keeper?—Somewhere about 1822.

900. The *Chairman*.] You say the index to the Charters, Patents and Close Rolls were very imperfect; are they so still?—I believe the present keeper has improved them very much.

901. You complain of a total want of indexes or calendars to the Fine, Liberate, and various other rolls and forest proceedings; the files of writs of *certiorari* and returns, and also to a multitude of private petitions to Parliament; are you aware whether any indexes or calendars have been provided for those?—I believe the Close Rolls of the whole of the reign of John have been printed; the indexes to the Patent Rolls and Charter Rolls are very imperfect; as to the Liberate Rolls and Fine Rolls, I do not know that any index has been made.

902. At any rate, you can answer that there was no index or calendar at the time you published this work?—No, there was not.

903. You complain of the heavy fees?—Yes, I was obliged to take them as I found them, because I accounted to my principal; I had not the fees, the former deputies had.

904. When you were deputy keeper, what was the salary of the keeper?—Five hundred pounds a year, and the fees.

905. What

905. What was your salary as deputy keeper?—I had 250*l.* a year as chief clerk, not *quâ* keeper; but I would not accept the office unless I was sworn in before Sir William Grant, as the deputy keeper, because, being a professional man, I did not choose to be there under the denomination of clerk.

906. Has any thing been done to diminish the fees?—I believe not.

907. You complain that the hours of attendance were too limited; are they the same still?—I rather think they are increased.

908. You complain of the practice of allowing no extract to be taken without ordering a copy of the whole instrument; does that practice continue?—Yes.

909. Is not that very mischievous?—Nothing short of an entire copy would be evidence; but in making searches for establishing a right to a manor, franchise, &c., or those things which Mr. Hewlett has mentioned, I might search 40 or 50 records before I got at the point I wanted; but if I was allowed to take a minute, it would lessen the expense. I generally acted more liberally when I was deputy keeper than had been the practice before; and instead of lessening the fees, it rather increased them.

910. Dr. *Bowring.*] There were occasionally applications where a document might be wanted, not for legal purposes, but literary purposes or curiosity?—For literary purposes we always granted to them what they wanted, particularly Mr. Clutterbuck, for his History of Hertfordshire; I allowed him to have transcripts of old charters without fees; and there was one case respecting St. Alban's where we were deprived of 40*l.* or 50*l.* in consequence of a charter being printed at length in his book, which was allowed to be read in evidence.

911. And that practice continues?—Yes, and at the Rolls too.

912. The *Chairman.*] They are very liberal at the Rolls?—Yes, Mr. Kipling always allowed literary gentlemen to come, if there was a respectable introduction.

913. You say that the practice of allowing the record keepers to act as record agents or antiquaries in making searches is prejudicial?—Yes.

914. You state that it leads to neglect of their public duty; are you of that opinion now?—Yes.

915. You say it is in their power, in the present state of the indexes, to withhold from the party adverse to that by which they are employed, information not publicly stated, and to give their own party knowledge of what their adversary has procured to support his case; do you know any instance of that having occurred?—There was an instance; but I really cannot charge my memory with it. I am confident that information was given to the parties. I acted very differently upon such an occasion; and I may be allowed to say, in justification of myself, what it was: it was in the Forest proceedings. Mr. Hewlett's father was concerned against me for the lords of the manors, I was concerned for the Crown; there was no time for him to make searches, or to copy the records for him, and I gave him all my translations, and allowed him to pay the fees afterwards. I did not withhold any thing.

916. Where searches are made in the Record Offices on the part of His Majesty, does the officer receiving a salary from Government make those charges?—Yes; I paid in the Windsor Forest cases many hundred pounds for the Crown. I thought it wrong; but I was obliged to do it, knowing it to be the practice in the office, and I accounted to my principal for it; but I objected to it afterwards in one instance.

917. What was that instance?—In the case of Rowe *v.* Brenton, respecting the mines in Cornwall. I was ordered by the Duchy of Cornwall to resist it; but Mr. Petrie stopped my searches in future till I paid it.

918. You state that for searches at the Augmentation Office an *ad libitum* fee was charged by the keeper, that he alleged he had no fixed table of fees, and claimed the calendars as his own property, was that the case?—He did charge beyond what he ought to have done in many cases; he seldom allowed any body to go to the office. In my practice for 30 years, I was never there more than 10 or 12 times; he sent down his bag-bearer. His fee was 8*s.* 8*d.*; but he many times charged me a guinea, or two guineas.

919. So that in fact he charged what he chose?—Very much so.

920. Do you recollect the state of things Mr. Hewlett has described, his having to go to Mr. Caley's house in Spa-fields, and his sending his servant to the Augmentation Office to get the records?—Yes.

921. Did this occasion great inconvenience and loss of time and expense?—Yes, sometimes

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sometimes a loss of two or three weeks; they were never obtained upon the first application; you must always give him a day or two notice.

922. Is it not of great importance that you should be able in judicial proceedings to avail yourself of those documents immediately?—Certainly.

923. Is not that delay caused by the late Mr. Caley's arrangements exceedingly inconvenient and prejudicial?—Yes, the inconvenience to professional men is very great, particularly the loss of time and expense.

924. Sir *Robert Inglis.*] In reference to the arrangement noticed in the last question, can you state to the Committee whether any greater facility to the profession existed before Mr. Caley's appointment, as compared with that which existed during his life?—I do not recollect before his time.

925. Have you any reason to suppose that greater facilities existed previously to Mr. Caley's time, as compared with his time?—That I cannot tell, I was not in London; perhaps there were not greater facilities before; I believe they were in a very rough state in Westminster Hall.

926. The *Chairman.*] When Mr. Kipling died, did his private indexes pass to his executors?—Mr. Kipling had declared them to be the property of his two clerks.

927. Do you know with what view he left them to the two clerks?—In order that the two clerks might not be discharged, but that it might be the means of keeping them in the office.

928. So that one effect of this system of private indexes is, that it renders the possessors of them independent of the public; and it would be almost impossible to discharge them while they possessed those documents?—Yes, that is the effect of it; I have paid a great deal of money for searching those private indexes, some hundred pounds.

929. At the King's Bench and the Common Pleas Treasuries, at the time you wrote this Report, were there any officers who could read the records?—None; I always took down my own amanuensis.

930. So that those records were entirely under the management of persons who could not read them?—Certainly, it was so in the Common Pleas.

931. Mr. *C. Villiers.*] From their being in Latin?—Yes, they could not read the hands.

932. Sir *Robert Inglis.*] Does your answer refer to their ignorance of the language, or from their ignorance of the character of the hand-writings?—Both. Mr. White, who died ten or twelve years ago, could read them.

933. The *Chairman.*] Were the records of the King's Remembrancer's Office disarranged, lost and spoiled, in consequence of their repeated removals into the sheds in Westminster Hall, thence to the Mews, and thence to the Riding House?—I should think so.

934. Have you reason to believe that any of them were misappropriated?—I do not know; I believe that many were lost, by being removed to the sheds in Westminster Hall by soldiers and porters, who used to wheel them in barrows.

935. Were they carried from one building to the other by soldiers and common labourers?—Yes, from the courts.

936. Under whose superintendence did that take place?—I do not know.

937. Sir *Robert Inglis.*] Upon their removal from the shed to the Mews, can you state by whom they were removed?—No, I cannot; I should hardly think those of the Common Pleas were injured then.

938. Have you seen them since?—Once or twice I have, but not in the last two years; I do not know now where they are, because I do not practise.

939. The *Chairman.*] In the Lord Treasurer's Remembrancer's Office was there a large quantity of unsorted records?—Many bags full, not like the King's Remembrancer's Office.

940. But there were many bags of very important records unsorted?—Yes.

941. In the case of Rowe *v.* Brenton, had you any thing to do with the documents produced out of those bags?—No, that was a case respecting the dues on imports and exports at Bristol.

942. How did you discover those documents?—By Mr. Foxton, one of the clerks in the office, assisting me in searching over those unsorted records. I discovered some instruments there which established the rights of the corporation to all the tolls upon shipping coming in and out of the port; these were accounts rendered by the mayor in the time of Henry VI. for port dues; he being the escheator, he accounted over to the Crown for them, which decided the question.

943. What

943. What led you to look for those?—The mayor being the escheator, I thought his accounts might be rendered at full length in the rolls; but no such things were there. Mr. Foxton was at that time examining some of those unsorted records, and I asked him to let me look through them, and I gave him an agency fee to assist me in it; and that was a very considerable piece of evidence in gaining that cause.

944. If you had not looked through those unsorted bags, the issue of the case might probably have been different?—I think not, but that was most decisive.

945. At any rate, the most decisive evidence would have been wanting?—Yes, that alone would have been sufficient.

946. Did you complain in your Report of the alternate dampness and dryness of the building?—Yes.

947. It is stated therein, that they were kept in damp vaults under the eastern wing of Somerset House; those vaults were originally deemed by the Government as damp and dark, and improper for their reception; in consequence whereof air and fire-flues were introduced under the floor and round the walls, for the purpose of keeping the records dry, and preventing the damp from the ground, which, instead of remedying the evil, you say, from long experience, that the situation has become still more objectionable, the records being alternately damp and dry; damp when the flues are unlighted, and dry again when air is admitted and the fire lighted; further, you complain of the rooms being so dark, that it is impossible to read a record, or even its label, and that the cold is so great, that in winter or summer no person could remain therein half an hour without the risk of losing his life?—Losing his life is going a little too far perhaps.

948. In consequence of that statement, are you aware that any steps were taken to remove those records into a better situation?—No, I do not; I will only say that very early, when acting under the commission, I was there an hour and a half transcribing an instrument, and I had the rheumatism so bad, that I did not get out of my bed for a week.

949. Sir *Robert Inglis.*] By whose authority were they deposited in the situation where you saw them?—I do not know.

950. The *Chairman.*] You state that Mr. Caley stated in excuse for this arrangement at the Augmentation Office, which I have mentioned, that it was an office to which resort is only had occasionally; do you think that the records in the Augmentation Office are less consulted than those in any other office?—Excepting at the Rolls, I should say more than any other.

951. Did Mr. Caley allow the applicants to look into his indexes?—No.

952. Did great inconvenience arise from that?—Certainly.

953. Are you aware, that in order to render it more easy to bind the documents in that office, Mr. Caley first cut off the seals and the labels, in order to fold them up?—The Cartæ Antiquæ in the Augmentation Office he has pasted upon paper, and bound them up in books; the seals are certainly cut off, many of them.

954. The seals of all of them are cut off?—I saw no seals upon those I examined, and I have had office copies; I objected personally to him about it; I said here is an instrument that might have been delivered as an escrow on condition; you cannot tell what the indorsement is, you have destroyed the evidence by taking off the seal, and pasting it down.

955. The taking off the seal deprived those documents of their value in a court of law?—I think it injured them; there must have been seals, because the greater part of them are grants to monasteries.

956. But in the way you mention, the deed would have been deprived of one of its most material bearings?—Yes, I speak as a lawyer.

957. Were not the seals very handsome, many of them?—I saw a large collection Mr. Caley had had drawings of; whence he took them I cannot tell.

958. Were not the seals of the Cartæ Antiquæ remarkably handsome and curious?—They were the seals of individuals; the seals to the conventual leases are those which were handsome; the seals of the individuals were those of the patrons and endowers of monasteries; those seals were not very fine; I should think the conventual seals would be very fine indeed; there were a great many seals that Mr. Caley had drawn from the Chapter House amongst the Scotch records; the instruments belonging to them were all tattered and torn in my time.

959. Did you ever complain of the total want of indexes to the records in the Court of the receipt of Exchequer and the Chapter House at Westminster?—I made a sort of press catalogue of the general contents of the Chapter House.

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960. The Right hon. *C. W. Williams Wynn.*] That was under the authority of the former commission?—Yes; there are a great number of indexes, very valuable indexes, but there are no indexes rerum or locorum either to the records of the King's Bench or Common Pleas.

961. The *Chairman.*] Is not that greatly wanted?—Yes; as Mr. Hewlett has stated, if I might take the liberty of alluding to his evidence, in which I accord very much, there are verdicts in very important cases in the Court of King's Bench and Common Pleas down to the reign of Henry IV. in one Court and Henry VI. in another, without any indexes rerum or locorum; the mere indexes nominum are nothing at all.

962. In consequence of the representations contained in this work, do you know that any thing was done to remedy the abuses complained of?—None, to my knowledge or belief.

963. You believe nothing has been done?—I believe, most solemnly, nothing has been done except in the last two years.

964. So that Lord Brougham's desire to sweep away all impediments and abuses has remained ungratified to the present hour?—I believe so.

965. Is it your opinion that the commission was too numerous?—I can hardly give an opinion upon that; perhaps it might be very impertinent for me to make an observation upon the subject.

966. It is only a matter of opinion?—I do not know how many the commission consists of; but where a great number of gentlemen are employed, they will have different views; I view these records in a different way to what many gentlemen may view them; there are two or three divisions of records.

967. Do you happen to know Sir John Leach's opinion?—I have heard it, but not from himself; I would rather decline saying from whence I heard it, but I heard he said that five would be sufficient.

968. Do you recollect the state of the records in the Land Revenue Office in the beginning of this century?—Yes, a great many were in the long gallery.

969. Do you recollect that they were very well arranged?—Mr. Hewlett's father arranged a great many of them.

970. Do you know whether they were disarranged afterwards?—Yes, they were; I had occasion to look for a survey regarding the trial of a tithe cause in Suffolk, and we could not find the document; that was in the shed in Westminster-hall, Noah's Ark, as it was vulgarly called.

971. Have the records suffered by embezzlement or destruction since the existence of the first commission?—I cannot tell that.

972. Do you recollect the Augmentation Office in Mr. Caley's time?—Yes; I have been in it about 70 times in my life, not more.

973. Was it clean or dirty?—Very dirty.

974. Do you think the dirt was such as to render access disagreeable, and to endanger the legibility of the records?—It was exceedingly disagreeable; but as to its endangering the legibility of the records, I doubt it, because I would rather have dust than damp.

975. If possible, would you not rather be without either?—Yes.

976. Does not dust, by settling upon the record, efface the writing?—If the roll is not tied round very firm; when I was attending at the Chapter House there was no person employed to dust them; I spoke to the Right honourable George Rose upon the subject, and got a man appointed to go round and dust them; when he finished one part, he began again; certainly they ought not to be in a dusty situation.

977. Do you recollect any thing of Mr. Caley's arrangement, was it a satisfactory arrangement?—He did not allow any body to go down, except in the latter part of his life he let me go occasionally, and since those observations were made, he allowed me to go down whenever I chose.

978. Was his arrangement chronological or topographical?—As to the rolls of monasteries, they were in counties generally.

979. Was it a chronological or topographical arrangement?—Topographical. There was a large press as long as the side of this room, where they were arranged in distinct counties, but no regular arrangement; the date was on the outside of the roll perhaps.

980. Was the search for a document very much impeded by that want of arrangement?—Yes, half an hour was occupied, when five minutes would have done as well; but Charles Gay used generally to go and fetch them up.

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981. Do you know any thing of Gay?—Yes, I have known him many years.

982. Is he competent to transcribe records?—No.

983. Is he a very good workman?—He is a very honest sort of man, and has a very large family, and I believe he is a very excellent workman in cleansing and repairing. With respect to arranging, I hardly know how to answer.

984. Do you not think that the work of finally arranging and methodizing records which is intrusted by the commissioners to sub-commissioners is a work which requires a man of education and intellect?—Yes.

985. Do you think that Gay was a person of such education and intellect that he ought to be intrusted with the work of a sub-commissioner?—No.

986. You think he would not arrange a large class of records in a methodical and proper manner?—Certainly not. A man who arranges properly ought to be able to say, when putting his hand upon any record, to what court it belongs, and what it contains. Gay cannot read Latin.

987. Did Mr. Caley commit errors in binding any books?—Doomsday-book is very badly bound; the inner margin is bound in, so that you cannot see it. I believe the rest of the books are very handsomely bound. I certainly found fault with Doomsday-book. I can state that Mr. Gay has copied many English records for me, and he is able to point out in a roll the particular manor, or rectory, or tithes; that has been acquired by constant habit; but he does not know Latin, and cannot copy it.

988. The Right hon. *C. W. Williams Wynn.*] You have stated that the commissioners appeared to you to be unacquainted with records; does that observation apply to the first commission; to Lord Glenbervie, Lord Redesdale and Lord Frederick Campbell?—No.

989. Mr. *C. Villiers.*] What was the number upon the first commission?—I do not know.

990. The Right hon. *C. W. Williams Wynn.*] The First Commissioner of the Treasury for the time being, the three Secretaries of State, the Speaker of the House of Commons, Sir Richard Pepper Arden, Master of the Rolls, Lord Frederick Campbell, the Right honourable Sylvester Douglas, afterwards Lord Glenbervie, Sir John Mitford, afterwards Lord Redesdale, and Sir William Grant?—It is impossible I could have supposed they were not capable of understanding them.

991. Robert Dundas, esq., the late Lord Chief Baron of Scotland, and Charles Abbott, esq., the late Lord Colchester?—I did not allude to them.

992. Have you any thing further to state to the Committee?—No, except that what I have stated in those observations in that pamphlet ought to have been followed; and if it had been followed, the country would have derived advantage from it.

Veneris, 4° die Martii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert Inglis.
Mr. Jervis.	Mr. Charles Villiers.
The Right hon. C. W. Williams Wynn.	Sir Charles Lemon.
Dr. Bowring.	Mr. Hawes.
Sir Matthew White Ridley.	Mr. Pusey.

MR. CHARLES BULLER IN THE CHAIR.

Mr. *James Rogers*, called in; and Examined.

Mr. *James Rogers.*

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993. Mr. *Jervis.*] YOU are an attorney?—Yes.

994. Were you and your brother attornies for the parish of St. Margaret's?—No, I was with my brother.

995. Was your brother attorney for St. Margaret's in the trial of Burrell *v.* Nicholson?—Yes.

996. Was that an action to try the parochiality of Richmond Terrace?—Yes, it was.

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997. Upon searching the parish books, did you ascertain that a cause had been tried upon the same question between the parish and the Duke of Portland?—I did.

998. The residence of the Duke of Portland was in Privy Gardens, the same district?—Yes.

999. In consequence of that discovery, did you go to the King's Bench Record Office?—I did.

1000. Did you find a record of that trial?—I did.

1001. Did you bespeak a copy of it?—Yes.

1002. Was a copy made?—It was.

1003. Were you present at the trial?—I was; I examined the copy with the original record.

1004. You were subsequently present at the trial?—I was.

1005. Did the counsel for Sir Charles Burrell produce any evidence of searches for that record?—He did.

1006. Was it proved that it could not be found?—It was.

1007. Has it been found since?—It has.

1008. Explain how it was; it was not found by Sir Charles Burrell's attorney?—It appeared that the roll had been cut off the file, for the purpose, I have no doubt, of making my copy.

1009. The record of that case had been cut off the file?—Yes.

1010. And being restored, where was it put?—Into the wrong bundle, on the wrong file.

1011. In what year was the trial?—In 1833.

1012. What year was the trial of the Duke of Portland?—In 1759.

1013. What roll was it put to?—I think some years before that, but I have no recollection of the precise file.

1014. It was lately discovered?—Some time after the trial.

1015. Sir *M. W. Ridley.*] You did not cut it out yourself?—No, decidedly not.

1016. It was delivered to you by some officer of the court; and you apprehend it was cut out of the book for the express purpose of enabling you to make the copy?—No, the clerk of the Treasury cut off the roll to take it home, to enable him to make the copy.

1017. Mr. *Jervis.*] You did not make the copy?—No, it was made by the proper officer.

1018. Sir *M. W. Ridley.*] Did you ever see the original from which the copy had been taken?—Yes, I saw it on the file, and afterwards off the file.

1019. And you saw the record itself separately and distinctly from the roll to which it was attached?—Yes.

1020. Mr. *Jervis.*] Who was the keeper of the records at that time?—Mr. Edge, since dead.

1021. The record was discovered by his successor upon a different roll?—Yes.

1022. Do you know of any instance in which a party has suffered from the record being removed from the proper custody, and examined at the house of the keeper?—Yes, a case is reported, where a plaintiff was nonsuited, or failed in his object, in consequence of examining the record in the office of the record keeper, instead of at the Treasury.

1023. Sir *Robert Inglis.*] Be pleased to refer the Committee to the cases to which you now allude?—I have not a reference to the case, I have a perfect recollection of the case, and it is reported.

[*The Witness was directed to furnish the Committee with a reference to the case alluded to.*]

1024. Mr. *Jervis.*] Inasmuch as the record ought to have been examined in the place where it was kept in proper custody, the officer had taken it home, and the officer who swore to the examination had examined it at the office keeper's house?—Yes.

1025. Sir *Robert Inglis.*] The case to which you first directed the attention of the Committee, the parish of St. Margaret against the Duke of Portland, occurred about 80 years since?—In 1759.

Charles Purton Cooper, Esq., again called in; and further Examined.

C. P. Cooper, Esq.

1026. Mr. *Jervis.*] DO you produce the papers directed by the Committee at your last examination?—I first of all produce, according to the direction of the Committee,

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Committee, a Return of the publications of the Record Commission, sold by Messrs. Baldwin & Cradock, from March 1831 to December 1835, with the number sold at the retail price, and the net sum produced. [*The Witness delivered in the same.*]—I then produce a copy of the third volume of the Rotuli Curiæ Regis, edited by Sir Francis Palgrave. [*The Witness delivered in the same.*]—Also copies of the first, second and third volumes of the ancient Calendars, Inventories, &c. of the Treasury of the Exchequer, edited by Sir Francis Palgrave. [*The Witness delivered in the same*].—Also a specimen of the books, containing the Sales of Wards and Marriages, preserved among the records of the Treasury of the Exchequer. [*The Witness delivered in the same.*]—And, lastly, a portion of a work, intituled, "Documents relating to the Affairs and the History of Scotland," printing under the care of Sir Francis Palgrave. The originals of those documents are in the Chapter House. [*The Witness delivered in the same.*]—I further produce a letter from the late Right honourable Sir John Leach, Master of the Rolls, addressed to the Secretary of the Record Commission, relative to the purchase for the public use of Mr. Kipling's private indexes to the records in the Rolls Chapel. The letter is dated the 23d June 1832. [*The Witness delivered in the same.*]—In pursuance of the order of the Committee, I moreover lay before it the correspondence of the secretary to the Record Board with Sir George Harrison and Sir Herbert Taylor, and also a letter of the Right honourable Lord Abinger to the Honourable James Stewart, one of the secretaries to the Treasury, as to the custody of the Augmentation Office records; and in producing this correspondence, the Committee will permit me to observe upon two passages, the one is in a letter written by me to Sir Herbert Taylor, stating that the intimation of the King's pleasure as to the removal of the records would, I made no doubt, overcome the difficulty which might otherwise present itself on the part of the Barons of the Exchequer, to whose court the records belonged. The other passage is in a letter written by me to Sir George Harrison, auditor of the Duchy of Cornwall, stating, that previously to the meeting of the board, I would see Lord Abinger and some of the other Barons of the Exchequer, and remove any obstacle to Sir George's application in that quarter, by informing their Lordships of His Majesty's wishes upon the subject, which ought to be regarded as commands. When those passages were written, I frankly own I had not considered the matter. I knew that a Select Committee of the House of Commons of 1800 had, by their Report, advised that such transfer should be effected, and that one of the earliest things that the first commissioners directed, I think it was in July 1800, was a transfer of all the records relating to the Duchy of Cornwall from the Augmentation Office to the office of the Duchy. Having now reflected upon the point, I wish that it may be recorded as part of my evidence, that, in my judgment, no such transfer of records can properly take place from one Court of Westminster Hall to another court, not even with the sanction of the Judges of those Courts. No judge can, as I apprehend, lawfully part with the records belonging to his jurisdiction. Here, then, is another point upon which the commission is defective, and the defect cannot be supplied but by Act of Parliament.

1027. Have you any thing further to add with regard to your examination on previous occasions?—There are two or three important, although not very long matters, upon which I have to add to or correct my evidence of Monday; first, as regards Mr. Caley's private indexes: I stated that I had no recollection of having brought the subject of the purchase before the commissioners: I find now that these indexes were minutely examined by Mr. Cole, who advised, indeed, that they should be purchased for public use, but not at any sum exceeding 120*l.* The proposed purchase was discussed at the board of the 17th of May 1834, as appears by the following entry: "The late Mr. Caley's private indexes to the records at the Augmentation Office produced; some papers respecting these indexes; if Miss Caley be willing to accept 120 *l.* for these indexes, ordered that the secretary write to the Treasury to recommend that that sum be given." The papers alluded to in that entry were probably some letters and statements of Mr. Cole; perhaps there was amongst them a letter, in which, as I collect from the questions put to me, it was alleged such indexes were made at the board's expense. When I find the letter, it shall be produced. At all events, it seems from the following letter from Mr. Hodson, the solicitor of Mr. Caley's executrix, that Mr. Cole was decidedly of opinion, that no greater sum than 120*l.* should be given. Mr. Hodson's letter is addressed to the secretary, and is to this effect:

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"Mr. Cole having again yesterday examined the indexes, in company with a gentleman, whom he represented as a very competent judge, and stated he could not recommend any advance of prices upon 120 *l.*, before named by him, and that no more would be given for the indexes, I informed him that that sum would not be accepted, and, consequently, further negotiation was at an end." Having communicated with you on this subject, I deem it right to apprize you of what has passed, and to add, Miss Caley will not regret she is now left at liberty to treat with other parties for the indexes. She would have made a sacrifice upon the value of the indexes in order that the office might have had them. As the board declines to meet her views, she will, of course, turn them to the most advantage for her late brother's estate."—The second point is, as regards the right of Mr. Caley to those indexes. The existence of private indexes in the different offices is repeatedly noticed in the Report of the Select Committee of 1800. The following passage in that Report will probably relieve the Committee from all difficulty as to the point to which many of the questions put to me on Monday were directed. The Committee of 1800, in speaking of the calendars and indexes, say this: "Those that are the private property of officers should be purchased for the public use, and appropriated to the office. Of this description, the keeper of the records at the Rolls Chapel has not fewer than 50, the greater part of which were purchased from his predecessor's representatives; they relate to the Patent, Close and Fine Rolls. The keeper of the records in the Augmentation Office has several indexes, which he also claims to be his private property; and the present secondary and clerk of the rolls, in the Crown Office of the Court of King's Bench, have, as their private property, several indexes connected with the records of that office, which it would be desirable to appropriate to the use of the officer for the time being." Now, Mr. Caley was in 1800 the keeper of the records of the Augmentation Office, although not of the Chapter House; and I have very little doubt it will turn out, upon investigation, that the indexes sold, together with his books, were for the most part the identical indexes here mentioned, and compiled by him, if at all, when a very young man. He received the appointment from the present Lord William Bentinck, as clerk of the Pipe, about the year 1787.—The third point was as to the clerks at the Rolls Chapel Office, when they have occasion to copy inquisitions *post mortem*, cutting them out of the books in which they have been bound. I have received a short statement from Mr. Palmer, which satisfactorily explains this matter, and also affords information upon some other parts of my examination. The statement of Mr. Palmer is this:—"Inquisitions *post mortem* have always been arrranged in chronological order." [I thought it could not be otherwise.] "In repairing them, when the work has required it, the same have been strengthened by pasting thereon an additional piece of parchment, and such additional piece of parchment is pasted on the guard for binding, in order to allow of taking the inquisition out of the book when required to be copied. It is afterwards replaced without the slightest injury."—I have examined the books themselves, and satisfied myself that that was the mode, and a very convenient mode it is. This has probably given rise to the report of the cutting out of the inquisitions. Then Mr. Palmer says, "one man was employed in repairing until the spring of 1833; since then two men, or a man and a boy, but with frequent interruptions, to assist in the Augmentation Office, particularly after the fire at Westminster. The inquisitions repaired within the last two or three years require to be pasted on a guard before they can be bound; there are between forty and fifty volumes. The Returns to Parliament have been repaired and bound to the 28th of Elizabeth inclusive. The surveys of church livings during the Usurpation have been done in the like manner. The Privy Seal and sign bills are kept in large bundles; but as many of the bundles contain several years mixed, with little regard to date, and some few instruments were known not to be enrolled: an assortment of them was commenced under the direction of the board, with the view of ascertaining what were not on the roll, and rendering the rest more accessible when necessary to refer to them; and the first and second of Henry VII. had been partly done. The miscellaneous rolls are very rarely resorted to:" this is Mr. Palmer's statement. A member of the Committee will remember the miscellaneous rolls. They are in the locker that served for seats in the chapel. There are very few of them.—The last point was, as to the allegation that the late Mr. Caley had cut the seals off from the charters or records in the Augmentation Office. Upon this

this I have interrogated Mr. Charles Gay, and he said, in reply to the question, whether any seals have been cut off the charters, that "the charters are bound up in twenty-four volumes, which were collected from all parts of the office; some from sacks, with labels endorsed 'Rubbish, and other useless papers,' but those at the time of finding them had no seals on them. The principal part of them were found by himself." In answer to a question, whether he was aware of Mr. Caley having cut off any seals from any other species of records than the charters, he said "yes, he cut off, I believe, about fifty from the conventual leases." Then I asked him why Mr. Caley cut them off? He replied, "because some of them were scarce monastic seals, and some of them very fine ones. Those records, the conventual leases, were being made into a volume for binding, and the seals were cut off by Mr. Caley, in order to prevent their being damaged or lost." I further inquired what had become of the seals so cut off? and he informed me, they are now in the office in boxes, with the numbers, in Mr. Caley's hand-writing, from where he took them. A few others, Mr. Gay added, were loose, and are now also in the boxes. I further interrogated him, as to whether the whole of the seals so cut off, or which have been found loose, were now in the office? he stated, that they are. Lastly, I asked him if Mr. Caley had cut off the seals from any other species of records? when he said, he never knew that he did.

1028. Did you understand from Mr. Gay in that examination that he was present when the seals were cut off?—I did not ask him that question.

1029. It was in consequence of Mr. Caley wishing to bind the records in books, and adopt a mode of preservation that would destroy the seals he cut them off?—Yes, just so. I recollect seeing the seals in the boxes, with Mr. Caley's hand-writing upon labels pasted on the covers. He was a great amateur of ancient seals, and had a large collection of impressions of seals that were sold with his books and manuscripts, and produced a considerable sum. He no doubt cut off the seals in question from a fear they might be injured in binding.

1030. Did Mr. Gay mention when they were cut off?—I did not inquire.

1031. Mr. Caley was then in the employ of the board?—No doubt he was in the employ of the old board. The seals must have been cut off within the last twenty or thirty years, but I put no question to Mr. Gay as to the time. There is another point that has occurred to me since I have been in the room, and which it may be as well to mention now. I was examined as to the right of the keeper of the records at the Rolls Chapel to insist upon a party taking a copy of the whole of the record, unless the portion of the copy taken amounts to a certain sum; in other words, as to the right of an applicant to insist upon having a copy of a parcel of a record, paying a fee according to the length.

1032. Have you seen the evidence of Mr. Hewlett upon that subject?—I have not; I should like to see it. I was going to state to the Committee, that a case was some time ago, in March 1835, laid before me by Mr. Charles Devon of the Chapter House, in consequence of the refusal of the keeper of the records at the Rolls Chapel to let him take a copy of or make an examination of a parcel of a record, paying a fee proportionably to the length.

1033. Mr. *Charles Villiers.*] He did not refuse to let him take a copy of a parcel, but he refused without taking a copy of the whole?—Yes, without paying the same amount of fees as if a copy of the whole record had been taken. Upon that case of Mr. Devon's, I find that I gave an opinion, of which I happen to have a copy here amongst my papers, and with the permission of the Committee I will read it:—"I think the keeper of the records at the Rolls Chapel is bound to permit the examination of a parcel of a record, in order that it may be given in evidence in the courts of common law, the usual fee for such parcel being paid or tendered. There is no order of the court that I can discover which justifies him in insisting on the party paying the fees as for the whole record. In a case where an exemplification is required, it is true the whole must in general be exemplified, but for no other reason than that, if it is to be used in evidence, a part would seldom be of any use, as the construction must be gathered from the entire record, but even in the case of an exemplification, the statute cited (a statute of Elizabeth) authorizes the party to claim a partial exemplification if it will equally serve his purpose, and, independent of the statute, I should say that the officer cannot insist upon the entire record being exemplified in order only to increase his own emoluments."

1034. Mr. *Jervis.*] Was that in March 1835?—Yes; I was then requested to

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advise as to the course to be taken; and upon that point I added, "I think the proper course to be taken will be to present a petition to the Master of the Rolls, and not to the Lord Chancellor, stating the circumstances under which the partial examination is demanded and refused, showing the absence of any order or table of fees justifying the Rolls Chapel practice, and stating the very different practice at the Tower and the other principal record offices The petition must be supported by affidavit, and served upon Mr. Leach; but before it is presented, considering the office I hold" (I was alluding to my being secretary to the record commission) "I must beg Mr. Devon to communicate to Mr. Leach what is my opinion upon the matter, and the course I have advised." Now that opinion was communicated to Mr. Leach, and an examination of the parcel was permitted.

1035. Have you long entertained this opinion?—I was never called upon to look into the point before.

1036. You have heard complaints before?—I have often heard complaints; but no specific case of grievance was ever before brought to my attention.

1037. You had never looked into it?—I had never any occasion to do so.

1038. When you did have occasion to examine it, and have formed that opinion, and intimated that opinion, they acquiesced in it?—Mr. Devon, I believe, communicated my opinion to Mr. Leach.

1039. And it was acquiesced in at once?—I understood from Mr. Devon he obtained the partial examination.

1040. Mr. *Charles Villiers.*] Do you remember upon what terms the keeper allowed parcel to be taken?—Upon the payment of the ordinary fees, in proportion to the length of the record examined.

1041. Stating that it was allowed in this case, but he did not make it a precedent?—That may have been the case; but it was not communicated to me that I recollect.

1042. Mr. *Jervis.*] Do you know the course as to charging fees; do they contract for so much upon looking at the record, saying the whole copy will cost so much, and we will let you have a copy of a part, or do they charge so much a folio?—I am not practically acquainted with the course of business between solicitors and the record office keeper. In 1832 and 1833 I had occasion to consider the subject of the fees in the different offices, and I was satisfied that in general the fees are reasonable, I mean the legal fees. I had formerly from pamphlets and reports received a different impression upon the subject.

1043. The *Chairman.*] We finished the Augmentation Office upon your last examination?—I believe so.

1044. Who is the keeper of the records at the Tower?—Mr. Petrie.

1045. He is also a sub-commissioner?—He was a sub-commissioner upon the materials for the History of Britain—the National Historian.

1046. The collection of those materials for the History of Britain is, I believe, a matter not within the province of the commission; it is under the commission, but intrusted to it by a particular vote of The House of Commons?—The compilation and publication of the materials for the History of Britain is intrusted to the present board by virtue of a letter addressed to the commissioners by Lord Melbourne, whilst Secretary of State for the Home Department.

1047. This work has been under the superintendence of Mr. Petrie?—It was.

1048. He has been a sub-commissioner for the superintendence of that alone?—He used to style himself the principal sub-commissioner for the compilation and publication of that work.

1049. Has he any authority from the commission for doing any other work of a sub-commissioner besides that?—He has not.

1050. What persons has the record commission in its employment at the Tower at the present time?—At present there are three persons at the Tower who are in the immediate employ of the board, Mr. Joseph Stevenson, Mr. Hamilton and Mr. Bond; the two last are Mr. Stevenson's clerks.

1051. Upon what are they engaged?—They are engaged in sorting, arranging, calendaring and transcribing the miscellaneous unarranged records in that repository: I can hand in an outline or summary of the whole of Mr. Stevenson's operations since he has been employed there, from August 1834, and at the same time copies of the quarterly reports which he has made to the board, and which, as it appears to me, do him great credit.—[*The Witness delivered in the same.*]

1052. Is Mr. Stevenson a sub-commissioner?—He is not.

1053. What is he?—He is the superintendent of the operation which I have described.

1054. Is he a clerk?—No, he has two clerks under him.

1055. He does not fall within any of the categories you specified the other day in your classification?—I class him with the editors; he is compiling with a view to publication by himself.

1056. He is also intrusted with the business of arranging some of the records at the Tower?—It is an object of the commission to have calendars framed and printed of the miscellaneous records at the Tower. This work is intrusted to Mr. Stevenson, and, as a step towards the performance of it, it is requisite for him to sort and arrange the records; he is directed also to transcribe certain of the most curious for printing.

1057. You mean that that arrangement is entirely subordinate to editing the particular works, or that he is generally intrusted with the arranging and calendaring in the Tower?—It is part of his duty to sort, arrange and calendar the whole of the miscellaneous records.

1058. Without any reference to printing?—Yes, without any reference to the printing of the whole of such records *in extenso*; but he has received instructions in the course of framing his calendar to select those records which may be deemed worthy of being printed entire, and to notice them briefly only in the calendar as documents that will be printed at length. Records which it may not be thought advisable to publish entire will be more fully abstracted in the calendars, and especially all names of places and persons given.

1059. He is not a sub-commissioner?—He is not a sub-commissioner.

1060. There is a large quantity of room at the Tower devoted to keeping the records, is there not?—The Wakefield Tower and the White Tower, or, as it is generally called, Cæsar's Chapel; there is very great space in Cæsar's Chapel.

1061. Is there any complaint against the buildings appropriated to this purpose in the Tower?—The board has had occasion more than once to draw attention to a complaint of very long standing: when the Committee of the House of Commons on the Cottonian Library made their Report in 1732, stores of gunpowder, belonging to the office of Ordnance, were kept beneath Cæsar's Chapel, and there is still a magazine of gunpowder in the same spot. In 1832, the board addressed a letter to the Duke of Wellington, as constable of the Tower, suggesting the removal of the gunpowder, when his Grace replied in language that the Committee will think was rather that of a soldier than of an archivist, that if the commissioners on the public records should think that the gunpowder was exposed to any danger, they should apply to the Master General of the Ordnance. In consequence, a letter was written to the Master General of the Ordnance, signifying the wish of the board that orders should be immediately given for the removal of the gunpowder from the magazine under the White Tower; and, in reply, a very elaborate letter was received from Mr. Byham, the secretary of the Board of Ordnance, suggesting, on the part of the master and that board, that, under all the circumstances, the records should be removed rather than the ammunition. I will produce a copy of Mr. Byham's letter on a future occasion.

1062. Is the arrangement of the records in the Tower good?—The records in the Tower are well arranged, with the exception of the miscellaneous records, and, perhaps, some records or papers recently removed thither.

1063. What quantity of miscellaneous records are there?—The Committee will, I believe, find in Mr. Stevenson's Quarterly Reports full information on that subject

1064. Is it not a subject of complaint, that the record depositories at the Tower have been burthened with keeping a quantity of papers that cannot properly be called public records, and that the room in the building is inconveniently taken up with those?—I do not think there is any foundation for any complaint of that kind, as there is so much space in that repository.

1065. For instance, is not one of the staircases blocked up with Admiralty records?- Some Admiralty papers, I believe, have been lately transferred to the Tower, and are perhaps those which it is suggested have been the subject of complaint. They are placed in recesses in the wall, not of the staircase, but of the passage round Cæsar's Chapel.

1066. Those are not at all arranged?—I apprehend not.

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1067. Has the Commission made any progress in arranging the unarranged records at the Tower?—The Commission has made considerable progress, as will appear by Mr. Stevenson's Reports. Previously to Mr. Stevenson being engaged at the Tower, Sir Francis Palgrave, by an order of the board, dated on the 2d of March 1833, was directed and empowered to examine, sort and arrange the miscellaneous unsorted and uncalendared records and documents in the Record Office in the Tower, and to make calendars thereof, and he, with the approbation of the secretary, was authorized to employ such assistants as might be advisable; and, for the purpose of ensuring a complete and satisfactory execution of that order, Sir Francis Palgrave was, as far as practicable, to proceed regularly through all the different presses, closets, lockers, drawers, and other receptacles in the Record Office; and Mr. Petrie was to be requested to grant every facility to Sir Francis Palgrave, to enable him to effect such examination and arrangement. It appears, from a minute of the board, that it was the intention of the commissioners that the calendars so to be framed should not only afford full and correct references to the records, but that if they should be printed, they should form readable and useful books. Sir Francis Palgrave commenced operations under this order; but he continued them for only about twelve months, when he was appointed keeper of the records at the Chapter House. Mr. Stevenson thereupon took up the work, and has continued it to the present time. The progress made previously to Mr. Stevenson's appointment will appear by Sir Francis Palgrave's Reports to the board.

1068. Mr. Stevenson states in this Report, there are no longer any unsorted documents in the Tower. What do you conceive he means by unsorted; you do not apprehend he means a perfect arrangement?—No, that he has sorted them into classes only. I do not believe that all are arranged chronologically.

1069. How long do you think it will take, at the present rate of doing it, to complete the proper arrangement of the records in the Tower?—I have already stated the only unarranged records to be the miscellaneous records. I think Mr. Stevenson first of all calculated that it would take about two or three years; but in a late Report he has, unless I deceive myself, stated this estimate to be erroneous. The miscellaneous records have turned out to be more numerous than he expected.

1070. A proportion of Mr. Stevenson's time is or will soon be taken up in editing some work for the commissioners?—The calendar will not be printed until such time as the work of arranging is finished.

1071. Are there good calendars to the whole of the records in the Tower?—Oh, no.

1072. Have any been made by the present commission?—No calendars have been made of the records at the Tower by the present commissioners; the framing of calendars to the records at the Tower is a part of the duty to be performed by the keeper and his clerks, all of whom receive salaries from the Treasury, when not engaged in making searches or office copies for the public; and an annual report is made by Mr. Petrie to the board of the progress effected in this work. I produce to the Committee, as a specimen of such reports, Mr. Petrie's last Annual Report, from March 1834 to March 1835 [*delivering in the same*]; in that he states progress continues to be made in filling up and completing the calendars to the Charter Rolls, in forming a complete calendar to the Patent Rolls, and in making a calendar to the Fine Rolls, and in the reparation and improved arrangement of the inquisitions *post mortem*.

1073. All this calendaring and making indexes at the Tower is carried on independently of the board?—It is, as regards all the records, except the miscellaneous unsorted records. I stated the other day, that the board offered assistance only where, from some peculiarity in the records, or the office, such assistance appeared requisite to preserve the records, or to render them available for historical, antiquarian, legal or literary purposes, and such assistance could be given out of the limited funds which the board has at its disposal. It would be vain for the commissioners to undertake to calendar or index all the long series of rolls at the Tower: they have therefore directed their attention to the class of miscellaneous records, knowing that, unlike the Charter, and Patent, and Close and Fine Rolls, and other records of that description, they are little or not at all resorted to by the public; and the consequence is, that, producing no emoluments to the keepers and their clerks, they have remained unsorted and unarranged, although amongst them are documents of great value to the history and literature of the country. It is here that the commissioners have thought that their assistance was required, and that

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it might be usefully given without interfering with the execution of the other measures contemplated by the Commons Report of 1800.

1074. When you say that the commission does this only when assistance is required, do you mean it does it only on the application of the keepers for assistance, or that it does it when it thinks it is necessary that calendars should be made in order to render the documents accessible to the public?—The operation of sorting, arranging and calendaring the miscellaneous records at the Tower solely originated with the board. No application was ever made by the keeper of the records upon the subject.

1075. What are the Committee to understand is the reason that, as there is a quantity of records to which the keeper of the Tower has not thought proper to make calendars, and that are in want of calendars, that the commission have done nothing towards making them?—At no period have the funds granted by Parliament been sufficient for that purpose.

1076. You mean, considering all the other expenses to which the commission has gone, the funds are not sufficient?—I mean that to complete the Tower calendars to one particular species of records alone, namely, the Patent Rolls from the reign of Henry III. down to the reign of Edward IV., where the Tower series ends, and that of the Rolls Chapel commences, it would take 5,000*l.* I have little doubt that it would take 100,000*l.* to complete the calendars to the records kept at the Tower of London, including the Chancery proceedings.

1077. Have you got any estimate upon which that was made?—No, I have not. I made a rough estimate for my own satisfaction two or three years ago, which convinced me that it was useless for the board to attempt to form calendars and indexes to the records even in the principal offices.

1078. Sir *M. W. Ridley.*] From the experience you have had, from the time it has already taken and the expense already incurred, are you still of opinion it would take 100,000*l.* to complete it?—I believe it would take some such sum to make calendars to the records at the Tower alone, some of which, except the Chancery proceedings, come down to a later period than the end of the reign of Edward IV. My belief is founded upon Reports and Returns; I find, for instance, from those Reports and Returns, that it will take the whole time of one clerk during two years to calendar a particular series of rolls for a period of 20 years; call the clerk's salary 250*l.* a year, here is an expense then of 500*l.* for calendaring one species of record, for less than one-tenth of the time that the present calendars are defective.

1079. It is upon those data you came to the conclusion?—Yes, it is upon such data as those.

1080. The *Chairman.*] How many clerks are altogether employed in the Record Office at the Tower?—There is the keeper and three clerks, who are independent of the board; they are paid by the Treasury.

1081. Would there not be sufficient work and employment for double or treble that number of clerks to complete the calendaring of the records of the Tower in any reasonable and competent time?—For far more than that number; if the Committee will permit, I will state what records and what portions of the records of the Tower have calendars or indexes either complete or imperfect. I will begin by the Charter Rolls. The calendars of the Charter Rolls are filled up and corrected only to the latter end of the reign of Edward II.; the calendars of the Patent Rolls have been carried on only to the 38th of Henry III.; of the Close Rolls there is no calendar after the reign of John; of the Fine Rolls there is only a calendar for the first 10 years of the reign of Henry III.; of the Liberate Rolls there is only a calendar for the reign of John; of the Re Disseisin Rolls there are no calendars or indexes at all; of the Perambulation Rolls there is only an index locorum; of the Extracta Donationum there are no calendars or indexes; of the Almain Rolls there is a very defective old calendar; of the French Rolls there are two calendars, both of which, however, are very defective; one has been printed by Carte, but it is supposed to be the worst of the two; of the Norman Rolls there is only a defective calendar (being that printed by Carte), except for the reign of John; of the Gascon Rolls there is no calendar, excepting that published by Carte, which is exceedingly defective; there is a very brief calendar only of the Roman Rolls; of the Welsh Rolls there is a very defective calendar printed by Ayloffe; of the Papal Bulls there is a brief calendar, also printed by Ayloffe; of the Inquisitions *post mortem* there is a defective printed catalogue; the present commissioners have given directions that what is wanting in it may

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be supplied; this will be effected by Calendarium Hæredum, which Mr. Charles Roberts is engaged in compiling. Then of the Royal Letters and State Papers, the Subsidy Rolls, Scotch Homage Rolls, Pardon Rolls, Privy Seals, Signet Bills, and writs of various descriptions from Edward I. to Edward IV., there are neither calendars nor indexes at all. The miscellaneous rolls, being those which are the least likely to attract the attention of the officers, the board has undertaken to sort, arrange and calendar; these records may be described as illustrative of our history, domestic and foreign, under the following heads:—Revenue, Expenditure, Debts and Accounts of the Crown, New-years' Gifts, the Royal Household, Mint and Foreign Bills of Exchange, Military and Naval affairs; instruments relating to treaties, truces, and infractions of peace, chiefly between England and France; Mercantile affairs, Foreign Possessions of the Crown, Proceedings in the Admiralty, Military and other Courts of the great Officers of the Crown, Pardons, Protections, Petitions, &c. Of the immense mass of proceedings of the High Court of Chancery, in Cæsar's Chapel, there are the printed catalogues of the reign of Elizabeth, and there is a manuscript calendar to the proceedings during the time of James I., which has been continued through a portion of the bundles of that reign; an index locorum too for the reign of Charles I. has been carried on through a part of the bundles for that reign. When the Committee calls to mind how few were the Chancery suits down to the middle of the 17th century in comparison of those since instituted, that the court was in its childhood until the beginning of the 18th century, and that, as will be seen by the Returns and Reports, the labour of two persons during four years will be required to complete the above-mentioned calendar for the reign of King James I., I say, when the Committee sees and considers all this, it will be able to form some notion of the time and expenditure that would be necessary to effect what has been desired by record agents, solicitors and others, as regards calendars and indexes. Besides the above records, there are preserved in the Tower of London certain King's Bench and Common Pleas records and placiti. The calendars of such of them as have been arranged alphabetically in counties have been completed to the county of Middlesex. To the remainder there is only a bad index locorum. To the Essoign Rolls, Plea Rolls, &c. there are neither calendars nor indexes.

1082. What distinction do you draw between a calendar and an index?—A calendar contains an abstract of each document; it gives you the names of persons and places, and the purport of the document; an index is often a mere list of documents; when it goes further, it merely gives you the names of persons and places.

1083. This large expense, which you have calculated upon in your estimate, was for the formation of calendars; could not the board, at a very much smaller expense, comparatively trifling, have formed such an index as the witnesses that have appeared before us, professional men engaged in searches, state would be most desirable, and in fact are absolutely necessary to make the records accessible?—I have not seen any part of that evidence; I may have an opportunity of seeing it by-and-bye; but I apprehend it will be found that such evidence applies more to the modern than to the ancient records. By modern, I mean comparatively modern record. If there be wanting indexes to them, it is for the Judges of the four Courts of Westminster Hall to take measures for supplying them, rather than the Record Commissioners. At the Rolls Chapel the records begin with the reign of Richard III., and calendars and indexes to those records exist; and the only evil is, that the most valuable of such calendars and indexes are in private hands, and the fee demanded for the use of them is exorbitant.

1084. Even supposing that such an enormous expense would be necessary as you have stated, in order to make complete calendars to those documents, would it not be desirable to make indexes at a very much slighter expense?—I imagine not; I should be sorry to see an attempt to index the early rolls at the Tower.

1085. Was an index made of the Close Rolls of the reign of John to the eighth year of the reign of Henry III.?—The Close Rolls for the reign of John and for a portion of the reign of Henry III. have been printed entire; there is an index, of course, to the printed volume.

1086. Were there indexes before they were published?—Mr. Petrie some time ago framed a calendar of all the records of the reign of John, and of course the Close Rolls would be included in that calendar.

1087. Do you know whether it is correct that an index to the Close Rolls of the reign of John, and to the eighth year of the reign of Henry III., cost only 100*l.*?

100*l.*?—To the printed volume containing the rolls of John, and eight years of the reign of Henry III., an index nominum et locorum might be framed for a less sum than that.

1088. I mean before printing?—I am not aware that such an index was made before the volume was printed; but no one who has the slightest knowledge of the subject would venture to recommend that even calendars, much less indexes of those ancient records, should be made. It cannot be doubted that all the records of the reign of John, and almost all those of the reign of Henry III., ought to be published entire. It would cost more money to frame calendars or indexes to such rolls than to print the whole record, as any member of the Committee may easily satisfy himself upon opening the volumes of the Close Rolls and Patent Rolls, which have lately come forth under the authority of the board.

1089. Has any thing been expended in repairing the rolls in the Tower?—Not by the commission, that I recollect.

1090. Has any thing been done as to the regulation of the fees there?—Nothing has been done, nor do I conceive that any thing was necessary.

1091. Mr. *Hawes.*] It was proposed that a committee or committees should be appointed, "to inquire into the fees of the several officers, clerks and other ministers having the care, custody and management of the public records in all their several departments, and into the salaries, fees and other emoluments and perquisites received by such officers, clerks, ministers and other persons, and also into the rules, usages and regulations of the several record offices and other repositories of public records and the general course of business therein, and all matters connected therewith; and also to inquire whether any and what reforms, alterations, amendments and improvements may be beneficially introduced therein, and more especially with a view to the better arrangement, preservation and more convenient use of the papers and records, and how such reforms, alterations, arrangements and improvements may be carried into effect." Will you inform the Committee whether any steps were taken in consequence of that minute?—The proposal to appoint such committee or committees was made at the board of the 30th June 1832, and the words of the proposal correspond exactly with those of that clause in the new commission, which is not to be found in any of the former commissions, and which Lord Brougham had at one time considered an important clause. That the secretary had at one time regarded it in the same light is obvious, from many passages in works printed in the course of the year 1832; but when it was contemplated to form a committee or committees for the several purposes mentioned in the question, it occurred to some one, I think to Lord Brougham himself, that almost all the most material objects had been attained by the Royal Commissions issued in the year 1816 and succeeding years, for making a diligent examination of the duties, salaries and emoluments of the several officers, clerks and ministers of justice in the courts of Westminster Hall, to which the records belong, and what regulations might be fit to be established respecting the duties, salaries and emoluments of the said several officers, clerks and ministers of justice. Those commissions were directed to Mr. Campbell, Accountant General of the Court of Chancery, Mr. Alexander, afterwards Lord Chief Baron, Mr. Osgood, Dr. Adams, Mr. Walton, Attorney-General for the duchy of Lancaster, and Mr. Trower, a Master in Chancery. Upon perusal of these elaborate Reports, it was found, that they not only contained all the information that could be desired, under the principal heads of the proposed inquiry, but that they contained various recommendations as to the duties, salaries and emoluments of the officers, clerks, and other ministers, having the care and management of the public records. Upon this discovery, I thought it right to extract from the reports of these commissioners, commonly called the Fee Commissioners, all that is to be found therein, as to the establishments of Record Offices, searches, copies, fees, &c.; and it will be found printed in the Agenda, pages 105 to 157. In order, too, that the Record Commissioners might have the whole of this important subject before them, extracts were at the same time given from the Report of the Lords Commissioners as to the Court of Chancery 1740, the Appendix to the 27th Report from the Select Committee on Finance 1798, and the Report from the Select Record Committee 1800. At subsequent periods various papers were laid before the board, showing what were the duties of the record officers, and what were their fees and emoluments in early times. Some of these papers will be found printed in the Agenda, as at pages 304 to 308, and page 481. The Committee may consult also pages 257 and 311. These extracts and papers relate to all the principal Record Offices, as the Chapter House,

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the Tower of London, the Rolls Chapel, the King's Remembrancer's Office, the Lord Treasurer's Remembrancer's Office, and the Augmentation Office. Upon examining these extracts and papers, it became apparent to the board, that most of the matters introduced for the first time into the present commission had been already investigated and reported upon, and they thought that if any amelioration were still to be effected, under the head of establishment and duties of office and fees, it would not be so considerable that it ought to be the subject of an early and separate report. Besides, they had succeeded in opening most of the offices which had previously been inaccessible, and, with the exception of one or two, admission had been obtained for the purpose of literary searches, without payment of any fee whatever, as the Reports and Returns will show. Still, as many complaints had been made by the persons called record agents, it was thought that something might be done before the general report to facilitate searches in the records which particularly relate to title to tithes and other property, and it having been ordered that Mr. Ker and the secretary should confer with Mr. Illingworth——

1092. That was before this Minute was made?—I do not recollect whether it was before or after; but we were to consult Mr. Illingworth as to the state of the indexes to records of that class, and the mode of searching the same, and the fees paid for searches. The object was to ascertain from Mr. Illingworth, whether, in his judgment, it was possible to adopt any immediate measures to cure the evils that had been the subject of complaint in this department. I think this was some time in the year 1832.

1093. No, it was in 1831?—Well, in 1831. With reference to this particular kind of records, it was still thought that Mr. Ker, Mr. Illingworth and myself, could be able to suggest some immediate measure that would give satisfaction to the record agents. The Legislature, however, took a much shorter course to remove all these evils, by reforming nearly all those branches of the law which rendered searches frequent and burdensome. The Act for shortening the time required in Claims of *Modus Decimandi*, or exemption from or discharge of Tithes; that for shortening the time of prescription in certain cases, as Claims of right of Common, right of Way, Watercourse, Pews and Lights; and the important Act for Limitation of Actions and Suits relating to Real Property, had this effect. It is well known, that since the passing of these statutes, the outcry has been, that there is no occasion for searches, rather than that there is a difficulty in making of them. These Acts have, however, only diminished the frequency of resort to records of a particular class. But there is another Act,—I mean that for the reform of the Commons' House of Parliament,—which has had the same effect on other classes, and especially some of those preserved at the Tower.

1094. Then nothing was done with a view to the better arrangement and preservation of the records, nor were any reforms, alterations, amendments, or improvements suggested?—Nothing was done, and nothing was suggested, beyond what I have stated; but I do not say that nothing was to be done, or that nothing was to be suggested. All that I have stated is, that, for reasons which I need not repeat, the board did not consider it requisite to make a premature report merely on account of the complaints of record agents, for which it may be much doubted whether there is any real foundation, or, if there be, whether it is practicable to remedy the evils exclaimed against. I have already informed the Committee, that a large portion of the appendix to the general Report to His Majesty will be found to consist of Returns made by the keepers of offices having records in their custody in reply to the twelve questions which I have more than once mentioned were transmitted to them by the present commissioners in 1831 and 1832, as one of their first acts in entering upon their duties. The questions were framed upon the model of those that were circulated by the Committee of the House of Commons in 1800, with two or three heads of inquiry in addition introduced; it will be found that they were framed so as necessarily to draw forth a great body of information, not only concerning the different kinds of documents in each office, and the state in which they were, but concerning the duties of the several officers, clerks, and other persons employed about the custody of the same, their salaries, fees, emoluments and perquisites, and the usages and regulations of the offices, and the Returns will be found to contain a great body of such kind of information accordingly. In preparing the heads of the Report, those proceedings of the board will, of course, form a principal topic, and it is the intention of the board that it

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shall lead to notices of whatever may have been done in this department of the duties of the commissioners, the impediments that may have been thrown in the way of their doing more, and any suggestions that the commissioners may think it proper to make respecting the means of more effectually executing His Majesty's intention or remarks on the defects or advantages of the old or new part of the existing regulations of the offices.

1095. Has that report been drawn up, and have any recommendations to that effect been made by the commissioners?—The report has not been drawn up.

1096. Then your statement amounts to this, that it being one of the chief objects of the commissioners appointed to inquire into the management of the offices, the fees and other matters connected with them, that the commission in the first year of its appointment took measures to obtain information, which has only just reached it, and that it has adopted no recommendations in consequence as yet?—My statement is, that soon after the commission issued, circular questions were prepared and issued to different record offices, libraries, and other repositories, and numbers of returns were obtained; that those returns were some time in the year 1832 placed in the hands of a gentleman of the name of Webster, for the purpose of examining, digesting, and methodizing them, and suggesting topics for further inquiry, and especially to prepare further questions in all cases where, on examination, the Lords' Report of 1719, the Commons' Reports of 1732 and 1800, and the indexes of Powell, Strachey, and others should suggest the expediency of further inquiries. Mr. Webster was engaged in that work during twelve months, and he made a report upon the subject, which did not prove satisfactory to the board, and Mr. Webster's further services were, consequently, dispensed with.

1097. That was in 1833?—It was. Mr. Webster was engaged on the work I have mentioned for twelve months. After his discharge, the mass of materials remained for some time in the hands of the secretary, when the same were transferred to the Rev. Joseph Hunter, who made a report thereon to the commissioners, who, on the 17th May 1834, ordered, that he should proceed in the arrangement of them, and should draw up heads of the proposed report to the King. It was afterwards thought advisable that the commissioners should themselves take steps for procuring information from certain repositories, from which either no returns at all had been obtained, or such as had been received were partial and defective. Accordingly exertions were used for this purpose, and they have not been unsuccessful.

1098. At what time of the year 1832 did Mr. Webster receive these returns, with directions to make a digest of them, and which were procured in consequence of the minute of the board of the 20th of May 1831?—I do not recollect at what time of the year Mr. Webster received them.

1099. As the board ordered such minute inquiries to be made on the 20th of May 1831, how does it happen that on the 30th of June 1832 a similar Minute was made?—In the first instance the questions were only sent to the principal record offices of the metropolis; the board subsequently thought it advisable to send them to the whole of the offices, libraries and repositories in England and Wales to which the questions had been sent by the Select Committee of the House of Commons in 1800. Questions were also framed and sent to the town clerks of all boroughs in England and Wales. I do not recollect the subsequent Minute.

1100. By the Minute in the year 1831, the secretary was to address the keepers of repositories of public records; there is no limitation; why, therefore, was a fresh order issued of a similar purport to the first?—Without an examination of the Minute alluded to, I can give no other explanation than I have done.

1101. The second Returns of the 2d of June 1832 is to be considered as one more in detail?—They were, as I believe, returns from different offices and repositories.

1102. And minuter accounts?—No, the same species of Returns, but addressed to different offices; they were sent to all offices and repositories throughout England and Wales, and to all the small record offices in the metropolis. If I were allowed to inspect the Minutes, I could remove all doubt on the subject.

1103. Were any improvements suggested?—None have been yet suggested, because the Returns have not been all digested, nor the heads of the proposed report laid before the board.

1104. I find on November the 17th, 1831, it is stated, that certain officers have been and still are in the habit of taking records home, and it is notorious that,

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from those and other means, numbers of valuable records have been lost, and others publicly sold at the deaths of officers as their private property, and that they are now found in the hands of individuals and other repositories; how does it happen that no improvement was suggested to prevent similar occurrences?—Inquiry was made upon the subject of that statement; the statement was meant to apply to a particular office, that of the King's Remembrancer's. The result of the inquiry was communicated to the board; but I do not recollect at present what that result was.

1105. By a subsequent Minute the secretary was ordered to inquire into the subject previously to communicating with the Lord Chief Baron; did any communication in point of fact take place?—I made inquiry upon the subject; but I do not remember whether I communicated with the Lord Chief Baron or not.

1106. The *Chairman.*] It appears, then, that the commission having, immediately upon its appointment, directed its attention to the subject of fees, that the information on the subject is hardly in the hands of the commission at the present moment, and that they have made no recommendation to His Majesty as yet?—The information is in the hands of a sub-commissioner.

1107. It is not in the hands of the commission?—No, it is in the hands of a sub-commissioner, who has been directed to draw up heads of a report containing suggestions upon the subject.

1108-9. So that the commission has expended nearly five years in obtaining this information?—Five years have elapsed since the commission was issued.

1110. And during all that time it has been endeavouring to obtain this information, is it not so?—A very small portion of the time has been spent in endeavouring to obtain that information.

1111. The attempt to get that information has been carried on for the space of five years?—Most of the returns were obtained in the years 1832 and 1833.

1112. Mr. *Hawes.*] But how does it happen, that since 1832 the returns already received have not been digested and laid before the commissioners?—They were for twelve months in the hands of Mr. Webster; Mr. Webster made an unsatisfactory report upon them, and they were thereupon placed in the hands of Mr. Hunter; they are at the present moment printing for the Appendix to the Report to His Majesty.

1113. The *Chairman*] How long have they been in the hands of Mr. Hunter?—I am not prepared to state, without examining my memoranda.

1114. Is it since the period of Mr. Webster's removal?—Probably a few months afterwards; but much of Mr. Hunter's time has been occupied in other matters; for the reasons I have stated more than once, the preparation of the report has never been looked upon as an urgent matter.

1115. A great delay was occasioned by the incompetency of Mr. Webster?—Twelve months were lost.

1116. It was that time before you discovered he was incompetent to the business?—Yes; his engagement was for twelve months.

1117. On what recommendation was Mr. Webster engaged?—The immediate recommendation was Lord Brougham.

1118. What testimonials of competency were produced?—I am not aware.

1119. Do you mean that Lord Brougham, as a commissioner, recommended Mr. Webster for this work to the commission, and that the commission acted upon the recommendation?—The commission acted upon the recommendation of Lord Brougham.

1120. You do not know what testimonials Lord Brougham produced of his fitness?—No, I do not.

1121. Do you happen to know what had been Mr. Webster's profession up to that time?—I do not; I believe he was employed by Government at one period in making some official investigations in the Isle of Man.

1122. You do not know what his profession had been before?—I am not at all aware.

1123. Nothing has been done to diminish the fees at the Tower?—The fees remain the same.

1124. Are you aware that the subject of the fees at the Tower had been a matter of special complaint against the old commission?—I do not understand how any blame can attach to the old commission upon that ground.

1125. Are you not aware it was made a great matter of complaint, the state of the fees at the Tower?—Not at the Tower.

1126. In Sir Harris Nicolas's pamphlet?—If there were just cause of complaint, the blame rests with the Judges of the Court of Chancery, and with Parliament, unless the officers demanded illegal fees.

1127. The fees at the Tower were felt a grievance?—They might have been.

1128. Why did the commissioners do nothing upon the subject?—I never heard of any application to the old commissioners on the subject; and if any application had been made, I do not see what authority they possessed to interfere: the complaint, if inquired into, would probably turn out to be a good deal like other complaints brought against the exorbitancy of the fees in Courts of Justice. The keeper of the records at the Tower cannot legally demand any fees, except those that have been sanctioned by orders of the Court of Chancery. I do not mean to say that it may not happen in a particular case the legal fee may become oppressive; for instance, the keeper of the records at the Tower is authorized, if I recollect, to require a fee of 1*l.* 1*s.* for every record carried to either House of Parliament or Court of Judicature: now the rolls wanted in a particular case may be very numerous, and there may be occasion to produce them many times, and then the amount of the fees becomes grievous; but in general I think that a fee of one guinea for production of a Tower record in evidence is not unfair: it is impossible that any regulations, however wisely and carefully framed, can prevent the occurrence of cases in which fees fixed upon a moderate scale may become oppressive; such instances are well known to every practising barrister. At present I have a case before the Lord Chancellor, where the fees upon the Master's Report come to 150*l.*, and yet these fees were regulated and fixed by Lord Brougham, the Master of the Rolls and the Vice Chancellor, within the last two years, with a view to lessening the burthen upon the suitor.

1129. Am I to understand, that the answer to the question, why the commissioners have done nothing to diminish those fees is, that there was really no occasion to diminish them?—In my judgment there was no immediate and pressing occasion for the commissioners to take any steps in reference to the fees; it was the intention of the commissioners thoroughly to investigate the matter, and to introduce some recommendation into that head of their report; that recommendation will probably be, that the keepers shall have fixed salaries, instead of fees, and this will prevent them from exacting fees higher than they are entitled to.

1130. Have any transcripts been made for the purpose of perpetuation at the Tower?—A great many transcripts have been made by Sir Francis Palgrave; many of them with a view to printing, and some of them with a view to perpetuation.

1131. Have you had any difficulty in making transcripts in the Tower?—None whatever, that I recollect at this moment.

1132. Were transcripts of the foreign letters made?—Yes, of some of them I think by Mr. Cole. The early Chancery petitions have also been transcribed, in order to perpetuate them.

1133. Had you occasion to write to Mr. Hardy upon the subject?—I do not recollect.

1134. Do you recollect using the phrase to Mr. Hardy, that you wished him to get transcripts made *sub rosâ* by Mr. Cole?—Very possibly I might; I have forgotten the circumstance.

1135. What was the cause of such an apparent irregularity?—Possibly an apprehension, an unfounded apprehension, as, I believe, that obstacles might be thrown in the way by the keeper.

1136. Had you met with such obstacles from the keeper?—The only impediment I remember to have experienced at the Tower has been the delay produced by Mr. Petrie on all occasions requiring a copy of the order of the board. If I used to Mr. Hardy the expression just now mentioned (and I possibly did), it must have been that I was desirous of avoiding the inconvenience and loss of time that must have ensued had I been compelled to summon the board, merely to obtain an order to be exhibited to Mr. Petrie, that Mr. Cole might copy some of the foreign letters.

1137. But as one of the duties of the commission enjoined in the Royal Commission was the making transcripts, do you think that it was right for the commission in such cases as this to be obliged to have recourse to an underhand proceeding like this?—Such a course doubtless would be very objectionable; but in the instance supposed, it is fair to Mr. Petrie to remark, that it was not necessary, as he would, I am sure, upon receiving the order of the board, which he can hardly

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be censured for requiring, have allowed Mr. Cole to copy the foreign letters. The irregularity, if committed at all, was committed in order to prevent trouble and delay. The consciousness of the inability of the commissioners to enforce their orders, it must be admitted, is likely, in some cases, to lead to attempts to attain the objects of the board by a road which may not always be the most direct, and which, under other circumstances, would not be chosen.

1138. Who is the keeper of the Pipe Office?—The Pipe Office is abolished; the custody of the records of the late Pipe Office is now vested in Mr. Vincent.

1139. Is the commission carrying on any work in that office?—No, not at present.

1140. Has it been?—Yes.

1141. Who superintended those works?—Mr. Panton was employed in different ways.

1142. Is he a sub-commissioner?—He is not.

1143. Is he a clerk in the employment of Mr. Vincent at the office?—He is, I believe, now in Mr. Vincent's employ, but I am not sure; he was not at the time when he was employed by the board; the office of clerk of the Pipe had not then been abolished.

1144. Have not the defects of the building in which these records are kept in Somerset House been the frequent subject of complaint?—Yes, the commissioners have had occasion to make frequent complaints as to the unfitness of this repository. In May 1831 the vaults under the east side of Somerset House were visited by a committee, consisting of Lord Canterbury, Mr. Wynn, and Mr. Protheroe. That committee reported to the board, that on inspecting the vaults in which the records belonging to the Pipe were deposited, they were convinced of the utter unfitness of them for the purposes to which they were applied.

1145. Has any thing been done in consequence with regard to the building?—In pursuance of an order of the board, dated 10th June 1831, an application was made to the Treasury, that the surveyor general might be instructed to inspect the vaults under the eastern side of Somerset House, and report upon the practicability of removing the records therein to the second floor of the Rolls House in Chancery-lane.

1146. But they are still in that depository?—Yes, they are; but, as I stated, if I recollect right, on the first day of my examination, the more ancient and valuable rolls of the Pipe, which are, as every body knows, the most splendid of the Exchequer Records, were, under the direction of the present board, removed from the vaults in question to a dry room on the northern side of Somerset House. New windows, too, were opened in the vaults to improve the ventilation, which had been greatly impeded since the erection of King's College: these precautions have removed all danger of immediate and irreparable mischief to these valuable records; but it is to be hoped that, before another winter, the board will be enabled by Parliament to place them in a more secure and commodious spot.

1147. The great roll of the Pipe is well arranged?—It is arranged chronologically, according to the years of the reigns of our Kings.

1148. But the rest of the records in the office are in a great state of confusion?—I have somewhere a letter of Mr. Panton respecting those records; they consist in part of accounts of the Duties of Excise and Customs, and of public accountants, which are in a decayed state, but are of no value. A sortation was begun of the miscellaneous records.

1149. Under whose superintendence?—Mr. Panton's.

1150. The arrangement is not complete?—No; much progress in sorting had not been made: I have inquired into this matter since my former examination.

1151. Why was it stopped?—In consequence of a change in the custody of the records, and a misunderstanding with the new keeper, Mr. Vincent.

1152. I thought you said on a former day, that it was owing also to too large a demand being made for transcripts?—That was an ingredient in the misunderstanding.

1153. What was the demand to which you demurred?—Sixpence per folio of 72 words was demanded; and it is the rule of the board not to pay more than four-pence; the former commission used to pay a shilling and eighteen pence per folio.

1154. Has not the present commission since that paid as much as 6*d.*?—I think the only instance in which the present commission has paid more than four-pence was for some short document copied by Mr. Foxton.

1155. Did not the commission pay Mr. Foxton as much as one shilling per folio?—It is possible that that was the rate; it was paid for some trifling document.

1156. Why

1156. Why was the rate so large?—It was one of the first documents that was transcribed for the use of the board, and not being a long one, it was not thought worth while to have any discussion with Mr. Foxton upon the subject; he received 4*d.* a folio for the transcript of the roll of Stephen, as it has been often called.

1157. Are there good calendars to the records in the Pipe Office?—Not to the miscellaneous records.

1158. Are they not wanted?—Calendars cannot be made until the records are sorted and arranged; no searches are ever made in these miscellaneous records.

1159. Has any thing been done in the way of making calendars to those records?—Nothing has been done by the present commission.

1160. In what state of preservation are the records?—The great rolls of the Pipe have been repaired within the last few years.

1161. By the present commission?—I think the commission has paid some portion of the expense, but I am not sure.

1162. Has there been any binding carried on?—No binding.

1163. Is the state of preservation satisfactory?—The depository is very bad.

1164. What has been done with regard to fees?—The fees continue the same as before; a clause in the Act, abolishing the office of clerk of the Pipe and other ancient offices of the Exchequer, and directing the delivery of the records of those departments to the King's Remembrancer, empowers the Barons of the Court of Exchequer and the Lords of the Treasury to make regulations touching the fees for searches and copies; their Lordships have, as I understand, hitherto seen no reason to make any change in the system.

1165. Have any transcripts been made for perpetuation?—None; nor am I aware that any are necessary.

1166. This is an office, it would appear from your former evidence, that is not very accessible to the commission, in consequence of the disputes with the keeper?—As I have already stated, if the keeper thinks proper to close the door, the commission has no power to open it.

1167. Here the keeper, at any rate, does not seem to think proper to open the door very wide?—No; and in consequence, as there was no lack of opportunity to employ the funds of the commission quite as usefully in other departments, the operations in the Pipe were suspended. No injury to the public service has ensued from this suspension.

1168. Who is the keeper of the Chapter House?—Sir Francis Palgrave.

1169. He is a sub-commissioner?—Yes, he is, and was appointed by the old board.

1170. And as sub-commissioner, he superintends all the work done there under the commission?—He superintends as sub-commissioner and keeper of the records.

1171. Is the building there convenient?—The building is considered convenient.

1172. Is it safe?—There was a report of a committee of the board in May 1831, which, after noticing that repeated representations had been made by the Record Commission of the hazard of fire to which the Chapter House is exposed by a shed erected against it, and used as a wash-house to one of the prebendal houses, stated, that the committee, upon inspection, were still more forcibly impressed with the magnitude of the danger, not only from that building, but from others adjoining it, in any of which, if a fire should commence, it would, from the confined situation of the premises, be scarcely possible to prevent it from spreading to the Chapter House. This was the opinion of the committee, and an order was in consequence passed about June 1831, that application should be made to the Lords of the Treasury that the Surveyor General might be instructed to survey the buildings contiguous to the Chapter House, and state what measures ought to be taken to prevent the danger of fire to which that repository was thought to be exposed from the contiguity of such buildings. The apprehensions of the committee do not seem, however, to have been altogether well founded, as it appears, by the proceedings of the board of the 1st December 1835, that the secretary had had interviews with Sir Benjamin Stevenson upon the subject of this famous wash-house, and was enabled to state, that although it would have been more satisfactory had the dean and chapter of Westminster removed the insignificant building, which had, as it appears, for a century past created some alarm for the safety of the depository, yet that there was no reasonable ground for the apprehensions that had been felt.

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[*The Witness here delivered in the following documents:*

A Treasury Minute respecting the appointment of Sir Francis Palgrave to the office of Keeper of the Exchequer Records in the Chapter House.

The Report of the Committee on the establishment necessary for assisting Sir Francis Palgrave in the proper execution of his office, and the Fees that ought to be charged for Searches or for Copies of Documents furnished to the community.]

Mr. Wynn and Mr. Pettit were members of this committee, whose report stated, that the committee did not see any reason to recommend any alteration in the fees incidental to legal proceedings, and which continued to be the same as were reported to the Record Commission in 1800; it was added in the Report, that all searches made or extracts taken for literary or historical purposes were exempt from all fees, as theretofore. Whenever the matter has been investigated, it has always turned out that the fees, the legal fees, in the offices were reasonable.

1173. Is the arrangement of the records at the Chapter House good?—A great many of the records are unarranged; numerous reports and papers may be found amongst the proceedings of the board respecting the unarranged records of this repository.

1174. At whose expense is the arrangement now carried on, that of the board or that of the Treasury?—The arrangement is carrying on partly by the labour of the ancient clerks of the establishment, who are paid both by the Treasury and the board, and partly by clerks employed by the board; the clerks of the establishment are paid by the commission only for services performed during extra hours; this system is found to work well.

1175. Are you aware what the Treasury has paid for arrangements in the last few years?—I am not. I understood some time since, from Sir Francis Palgrave, that the Treasury, or the Stationery Office, had agreed to allow 200*l.* a year towards the expenses of repairing and binding only. This is a very inadequate sum. I do not believe that any such allowance as is now alluded to has ever been made for the expense of arrangement.

1176. What kind of arrangement is it at the Chapter House; is it chronological and topographical, or a merely alphabetical arrangement?—It is hardly possible for any person to answer that question but Sir Francis Palgrave, or Mr. Clarke, or Mr. Charles, or Mr. Frederick Devon, who are officers of the establishment,—I mean, to answer it in an intelligible manner.

1177. Is it an arrangement entirely depending upon the calendar, or is the arrangement such, according to the years and places, that the arrangement itself serves the purpose of an index in some measure?—That must depend upon the different species of records.

1178. For instance, with regard to the great roll of the Pipe, that is a short chronological arrangement; if I was turned into the office now, and knew the year, I could find the roll in which the information I wanted was to be found; is any such arrangement adopted at the Chapter House, or are they miscellaneously arranged, the only clue being the calendar?—The records are of such various kinds, that I can give no general answer to the question: most of the records, those that form long series, are, I apprehend, as in other offices, arranged chronologically. Some records, as the Fines, are distributed in counties, and then in reigns, having thus both a topographical and a chronological arrangement.

1179. Are there sufficient calendars and indexes?—I apprehend not.

1180. Do you know that Mr. Illingworth made a calendar in the Chapter House?—Mr. Illingworth, under the directions of the old board, formed what I think was called a Press Catalogue. I believe three copies were made, one was left at the Chapter House, the other was sent to the Tower, and the third was deposited in the British Museum.

1181. Are you aware whether, in consequence of subsequent alterations in the arrangements, that calendar is of no use at all?—I am not able to answer that question. Looking at the masses of records, I doubt whether such a change in the arrangement can have taken place.

1182. In what state of preservation are the records in the Chapter House?—Some of them are in a bad state.

1183. Owing to what?—A—ge. Special orders have been made by the board for repairing the Rolls of the Curia Regis, and others of the most curious records.

1184. Are

1184. Are they free from damp?—I think the repository is tolerably free from damp. If I remember right, Mr. Caley's return describes it as dry.

1185. Have you any statement to make respecting the fees of this office, besides the paper you have just read?—No, I have not.

1186. What does Sir Francis Palgrave receive from the commission as sub-commissioner?—Sir Francis Palgrave receives such a sum from the commission as, together with the amount of his salary as keeper of the records at the Chapter House, and the amount of the fees, will equal 1,000*l.* per annum. The Treasury Minute delivered in by me a short time ago will explain this.

1187. Have any transcripts been made for perpetuation there?—Sir Francis Palgrave has made many transcripts for perpetuation. I have handed in a specimen of Mr. Petrie's annual reports; and before the Committee quits the subject of the Chapter House, I will hand in a specimen of the last quarterly report made by Mr. Caley; it is from Michaelmas to Christmas 1832; it will be seen that it embraces other repositories besides the Chapter House, but the Chapter House is the principal.

[*The witness delivered in the same.*]

1188. In the King's Remembrancer's Office who is the keeper?—Mr. Vincent.

1189. Has any thing been done by the commission in that office?—Various persons in the employ of the commission have been occupied in sorting, cleaning, and repairing the miscellaneous records of that office, from early in the year 1832 down to the present time.

1190. Under whose superintendence?—In the first instance, under the superintendence of Mr. Vanderzee and Mr. Adlington, then under the superintendence of Mr. Robert Thomson, and subsequently under the direction of Mr. Cole, and at present of Mr. Charles Gay; but Mr. Adlington, who has the temporary custody of all the records of the Augmentation Office, where the operation of sorting and repairing is now carried on, may perhaps be considered as exercising a sort of superintendence, although not in the employ of the board.

1191. How do you mean you consider Mr. Gay to be under the superintendence of Mr. Adlington; does Mr. Adlington take any part in the arrangement of those records?—Mr. Adlington is present in the office where the operations are proceeding, and I apprehend it would be his duty, as an officer of the King's Remembrancer's establishment, to communicate to the commission any thing that he might see reason to disapprove in the proceedings of Mr. Charles Gay and his workmen. Notwithstanding the miscellaneous records of the King's Remembrancer's Office have, under a Treasury warrant, been transferred to the temporary custody of the board, in order that they may be cleaned, sorted, repaired, and calendared, yet I conceive that Mr. Adlington, being present upon the spot where the work is going on, would not hesitate to point out to the board any dereliction of duty in its servants; it cannot be imagined that he is so indifferent to the condition of the records of the court, of which he is an officer, that he would not take this trouble; but the records cannot be confided to safer hands than those of Mr. Charles Gay.

1192. How does Mr. Adlington know what kind of arrangement Mr. Gay is adopting?—Mr. Adlington does not interfere in the arrangement.

1193. Then the whole of the arrangement carried on is confined to Mr. Gay?—I have said repeatedly I do not think any new arrangement is going on; this point, respecting which I had some doubt at first, is fully explained by Mr. Charles Gay's statement.

1194. What do you mean by no new arrangement?—I meant that we are only repairing and binding the Augmentation Office records.

1195. Where are they contained?—In five small oblong rooms, above the room where the Master of the Rolls holds his sittings during term.

1196. That is the stone tower of Westminster Hall?—No, there are some records belonging to the King's Remembrancer in the north-west stone tower of Westminster Hall, but none of those are undergoing the process of repairing and binding, as well as I recollect.

1197. I find it stated at page 367 of the Agenda, in the letter of Mr. Protheroe, "In two cells on the ground-floor, in the western tower of Westminster Hall, is a mass of records, the nature of which is but partially known; they are only to be seen by a small portion of light let in by a lancet window, which is unglazed, and admits a larger portion of dirt. Those records are literally covered with filth; those records it would be well to remove instantly to the Mews, where they might

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be sorted"?—This is a description of the records in the lower part of the stone tower.

1198. Are those records still there?—In the autumn of the year 1833, as well as I recollect, Mr. Thomson examined those records, which consisted almost entirely of port books and port bonds; he found amongst them one or two wardrobe books, and, possibly, some other valuable records. This examination took place by the direction of the board; but I have no paper at hand to which I can refer to assist my memory. The mass of instruments were port books and port bonds.

1199. Are they still in that place?—The port books I believe are.

1200. The others are removed?—The board directed that every thing of value should be removed; and could I consult the proceedings of the commissioners, I have no doubt the order would be found to have been duly executed.

1201. Where were those records removed?—To other offices belonging to the King's Remembrancer.

1202 The rest of those records are at the stables of Carlton House?—They are.

1203. Is the situation commodious, and well adapted for the purpose?—It has been fitted up for the purpose of receiving the records of the Courts of Common Pleas and the Exchequer.

1204. The records of the King's Remembrancer's Office are in a kind of loft?—A small portion of the King's Remembrancer's records are in such loft. The King's Remembrancer's records are scattered about in different repositories in different parts of the town.

1205. Are they not in sacks?—The miscellaneous records were placed in sacks by the present board, and for their better preservation.

1206. Are those sacks sorted into years?—I am not quite sure that all of them are, although it is not long since I made some inquiry upon the subject. Our attention has been principally directed to the records of Henry III. and the Edwards. After the removal from the wooden shed in Westminster Hall, these miscellaneous records were boarded up in large bins in the King's Mews. They were of a description which, for reasons which I need not mention, were not likely to enjoy the care of the officers, and for that reason the commissioners determined not to lose sight of them. Hundreds must have been decomposed, and would have perished, had there been any delay in the attempt to save them. They were taken out, dried, and put into sacks. Most, if not all, of these sacks have been since examined, and the early records separated from the others. In no long time the whole of these records will have been sorted, cleaned, flatted and repaired, and in some instances bound.

1207. Where is this done?—At the Augmentation Office.

1208. By whom is it done?—The operation at the Augmentation Office has been solely carried on under Mr. Cole and Mr. Charles Gay; Mr. Vanderzee, Mr. Adlington, and Mr. Thomson, were employed only whilst the work was carried on at Boswell Court and the Mews.

1209. By Mr. Charles Gay, under Mr. Cole?—Whilst Mr. Cole was in the office he was the superior.

1210. The sacks are now sorted according to the years?—Some sortation has taken place; but I am not able, without referring to memoranda, to describe it. Mr. Charles Gay makes monthly reports.

1211. Did Mr. Cole arrange them into classes? Did he adopt any other arrangement than a mere chronological arrangement?—I do not know whether he had made sufficient progress in sorting the miscellaneous records of the King's Remembrancer's Office to determine finally upon the mode of arrangement. I have no doubt he would have made a proper arrangement.

1212. You do not know what that arrangement was?—No. The records are miscellaneous, and I doubt much whether a classification of them at present would not be premature. I think the utmost that has been done is sortation.

1213. Into years?—Yes, the first object was to separate from the rest the most ancient, and therefore, generally speaking, the most valuable records. The instructions of the board to Mr. Cole were to separate the records of Henry III., Edward I., Edward II., and Edward III. from the others. Our labour has been confined principally to those records.

1214. It is stated in one of the reports that those records occupied about 650 sacks, containing eight bushels each?—That is Mr. Cole's description, and I believe it to be an accurate one. They were placed in sacks by labourers employed by the board.

1215. Do you know how many out of those sacks have been arranged?—I cannot tell the number of the sacks without referring to memoranda.

1216. Are there good calendars to them?—There are no calendars.

1217. Did Mr. Cole make any or commence any?—Mr. Cole commenced a calendar of the miscellaneous records of the King's Remembrancer's Office.

1218. Do you know how far he had got in it?—No, I do not. A portion was printed as a specimen.

1219. Have you got those calendars?—They remain in the office, I believe.

1220. Has not Mr. Cole got them?—That question was asked me the other day; I was surprised at it. I have not made any inquiry since. I certainly shall be very much astonished to learn that Mr. Cole is in possession of those calendars, or indeed of any document belonging to the board.

1221. He has not told you he had them, and would not give them up?—The other day the same inquiry was made of me; I had no recollection of the circumstance then, and I have no recollection of it now.

1222. In what state of preservation are those records? is it true that dead rats and other vermin have been found among them?—The records in the King's Remembrancer's Office were, when the present commission was issued, in a state reflecting the greatest disgrace upon the persons belonging to that establishment. It is quite true that the workmen employed by the present board to clean and sort those records have discovered amongst them skeletons of rats, and they have, I believe, caught a great many live rats amongst the same records; at least there have been payments for rat-traps. It is impossible for the Committee to conceive the shameful condition in which the commissioners found the valuable records of this office belonging to the reigns of Henry III., Edward I., Edward II., and Edward III.

1223. This was when the new commission first came into existence?—The attention of the new board was directed to the miscellaneous records of the King's Remembrancer's Office. From the circumstance, first, that the former commission had never been able to effect any thing for bettering the condition of those valuable records; and, secondly, that it was generally supposed that a considerable portion of them had been injured whilst in the wooden shed in Westminster Hall.

1224. Do those in the stone tower suffer greatly from damp?—Those in the upper stories must I apprehend, suffer more from dust than from damp; there are some valuable records there. In the cells of the Tower there are now, I believe, only port books and port bonds, and in my judgment it is of no consequence how soon they are destroyed.

1225. Have you any reason to fear that a number of those records have been embezzled during the time they have been in the shed, and during their removal?—It will appear from a letter of Mr. Thomson's, and some other documents printed in the Agenda, that certain wardrobe and household books, and other documents, were sold with the books and manuscripts of a person who had been First Secondary in the King's Remembrancer's Office, and produced several hundred pounds; two or three were purchased for the Museum, and others were purchased by Sir Thomas Phillips. I am satisfied that these wardrobe books and other records had belonged to the King's Remembrancer; at a subsequent period it was intimated to the board that there were records in the shop of Mr. Pickering, a bookseller in Chancery-lane, that had been stolen from the King's Remembrancer's Office; a letter was addressed to Mr. Vincent upon the subject, and I hand to the Committee copies of the letter and report that he afterwards sent to the commissioners respecting those records.

[*The Witness delivered in the same.*]

1226. Has any thing been done to recover them?—The letter and report will show the measures taken. All that the board could do was to call the attention of the custos of the records to the circumstance.

1227. Mr. Cole gave you that information about the records at Pickering's?—He did.

1228. Did they appear to have been disposed of to Mr. Pickering by a person of the name of Malim?—I recollect that the name of Malim was in some way connected with the transaction; but I must beg leave to refer the Committee to the letter and the report for further information. It must be remembered that the stealing, destroying, or obliterating a record, is a felonious act, punishable by transportation.

1229. Do you know that in St. Martin's-lane there is now a roll that has apparently come out of the Augmentation Office?—I am not aware that there is.

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1230. You have not heard of it?—I have not, unless it be one of the records to which Mr. Cole drew my attention eighteen months ago, and respecting which I wrote to Mr. Vincent.

1231. Do you know what the migrations of the records from the old repositories over the Courts of Law to the sheds, and from the sheds to the King's Mews, and from the King's Mews to Carlton Ride, have cost?—They have cost what would have sufficed to erect an excellent general record office. The present commission has frequently urged the expense of those migrations as a reason why a general record office should be built.

1232. What has been done in this office with regard to fees?—The Barons of the Exchequer and the Lords of the Treasury have not, as I believe, seen any reason to make any change in the fees payable for searches and copies in the King's Remembrancer's Office.

1233. Are those fees moderate?—I conceive them to be moderate; they were reported upon by the Fee Commissioners.

1234. Have any transcripts been made in this office for perpetuation?—Yes; some of the newly discovered Nonæ Rolls have been transcribed, both with a view to perpetuation, and with a view at some future time to printing. Mr. Cole may also have made some other transcripts; but if he has, I cannot describe them at the present moment.

1235. How many keepers are there who have access to those records?—A most inconvenient number; the whole of the sworn and side clerks of the King's Remembrancer's Office have access to them, and, in defiance of orders of the Court of Exchequer, they have been in the habit of taking the records home to their own houses.

1236. There are 24 of those gentlemen?—Yes, there are.

1237. Who have all access to those records, and who may remove them to their own houses?—They remove them in defiance of the orders of the court.

1238. Did Mr. Cole ever tell you that, being ordered by you to transcribe a caption of seisin of possessions in the county of Cornwall, and those officers having possession of those records, would not allow them to do it?—I think Mr. Cole stated to me that some impediment to the transcription of that caption was thrown in his way by the officers; but no steps were taken, in consequence, I rather think, of the board determining that the caption of seisin should not be copied, the expense was found to be too great.

1239. But this resistance on the part of the keepers was, in fact, an impediment to Mr. Cole doing it?—It would have been an impediment had the intention to transcribe the record in question continued.

1240. Where are the records of the Pell Office kept?—They are in the office of the Comptroller General of the Receipt and Issue of the Exchequer, Whitehall.

1241. Who is the keeper?—Sir John Newport.

1242. Has the commission done any work in that office?—It has; shortly before the Act abolishing the offices of Auditor, Tellers of the Exchequer, and Clerk of the Pells, and the several offices subordinate thereto came into operation, the board obtained very full information respecting the records belonging to all those departments. In September 1834 a report was made to the commissioners respecting them, and I am sorry I have not brought a copy of it with me.

1243. Was any thing done in consequence?—Yes; at the board of the 11th April 1835, I see it was stated that the secretary had been in correspondence and communication with Sir John Newport and the Treasury respecting those records, and that arrangements had been made to have them cleaned, sorted and catalogued under the superintendence of the board. Mr. Frederick Devon, a clerk in the Chapter House, is employed during extra hours, by Sir John Newport, to sort and arrange the records belonging to the ancient clerk of the Pells. They are also repaired by the workmen of the commission, under Mr. F. Devon's direction. By a Report, dated the 29th of February, it appears that up to that time there had been repaired, cleaned and labelled in that office 244 records. These records are of the reigns of Henry III., Edward I., Edward II. and Edward III., and there is one of the reign of Richard I., being a Norman Pipe Roll, the only one of that King's reign which, as Mr. Devon states, is known to exist.

1243*. That has been found within the last year?—Yes.

1244. It is a very valuable record?—It is a very curious record.

1245. Were

1245. Were those formerly kept in the stone tower?—In the stone tower at the north-east entrance to Westminster Hall, or in the brick building adjoining; I believe in the stone tower. *C. P. Cooper*, Esq. 4 March 1836.

1246. Was that a proper building for them to be in?—The building was damp.

1247. In what state of arrangement are they?—The miscellaneous records were of course unarranged, as in almost all the other offices: they are now being arranged.

1248. How long do you think that arrangement will take place before it is completed?—I have seen no calculation of the time.

1249. As the arrangement is so defective, there is great want of calendars and indexes?—There are neither calendars nor indexes.

1250. Is the work of making calendars and indexes going on simultaneously with the arrangement?—Mr. Devon is, I believe, making a catalogue.

1251. Is any thing done in the way of binding and repairing them?—They are repaired.

1252. What has been done with respect to the fees in this office?—The office of clerk of the Pells is abolished; there are, I apprehend, no fees received.

1253. Are frequent searches made among them?—I believe that the records of which we are speaking are valuable only for historical and literary purposes. I am certain Sir John Newport would permit no fees to be taken for examining them; indeed the Act of Parliament creating his office does not authorize the receipt of fees. The whole of those records ought to be transferred to the British Museum.

1254. But researches for literary and historical purposes must be greatly impeded by the want of calendars and arrangement?—Certainly.

1255. The circumstance of so valuable a record as the Norman Pipe Roll of Richard I. having only been found in the last year, is a proof of the total want of arrangement?—The Committee may form some notion of the state of confusion in which the records in that office were before the recent removal, when I state, that alongside an issue roll of John, I found Lord Denman's Patent of Peerage.

1256. Have any transcripts been made in this office for the purpose of perpetuation?—Sir John Newport has had some transcripts made.

Frederick Holbrooke, Esq. called in; and Examined.

1257. Mr. *Jervis.*] YOU were a sub-commissioner under the old board?—I was employed under the Record Commission from 1809. *F. Holbrooke*, Esq.

1258. Up to what time?—Till the dissolution of the board in 1831.

1259. You are not now a sub-commissioner?—I received an order from Mr. Cooper that the work should be suspended. I have had repeated communications with Mr. Cooper since, and letters from him upon the subject, but have received no appointment, or any thing of that kind.

1260. Upon what work were you engaged?—Upon the Fœdera, from the commencement.

1261. You say you had repeated communications with Mr. Cooper; have you ever received any order from the board upon your suspension?—I have the official letter with me from Mr. Cooper, in which he states he was directed by the board.

1262. For what reason were you suspended?—It was stated that the commissioners wished to discontinue all the works under the commission.

1263. Had much expense been incurred in the publication of that work?—A very great expense indeed.

1264. It is now imperfect?—Yes.

1265. Will you produce the correspondence which has passed between you?

[*The Witness produced the same.*]

1266. Be so good as to produce it in the order in which it occurred, and give the Committee a general outline of it?—This is the first letter from Mr. Cooper, the 28th of April 1831.

1267. Be kind enough to state it?—"New Boswell Court, 28th of April 1831," signed C. P. Cooper. "Sir;—It is my duty to inform you, that the Commissioners on Public Records have ordered that all the measures for the publication of Rymer's Fœdera be discontinued. I am your obedient servant, &c."

1268. Have you the answer to that?—I called upon him, and I had a long conversation with him. This is the next official letter: "New Boswell Court, Lincoln's Inn, June 24, 1831," signed by Mr. Cooper, addressed to Frederick

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Holbrooke, Esq. "Dear sir;—The Commissioners on the Public Records desire that you will transmit to me, with as little delay as possible, a list and description, to the best of your power, of all transcripts, that to your knowledge or information have at any time been made for the use of the commission, and which have not been printed; the commissioners have as yet no account of the transcripts of the Cartæ Antiquæ in the Harleian Library, and of some others which you lately mentioned to me. I remain, dear sir, &c." I waited upon Mr. Cooper, and explained where the transcripts were that I made myself, amounting to five thin folio volumes, and I have no doubt they were recovered; Mr. Cooper told me so himself; they had got into private hands. This is the next letter: "December 10th 1831," from Mr. Cooper to Mr. Holbrooke. "Dear sir;—You will have the goodness to transmit to me the transcripts belonging to the Record Commissioners that are in your possession; the work will not be resumed at present, but provision will shortly be made for the payment of the money due to you."

1269. What did you do upon that?—I called upon Mr. Cooper repeatedly; Mr. Cooper gave me every expectation and every hope that after twenty-two years' service my case would at any rate be brought before the board; but I have never been examined, and I am well acquainted with the proceedings of the board in every matter connected with the Fœdera from the year 1809.

1270. Have you never been before the board?—No, I could never get Mr. Cooper to bring it before the board; he stated there was no necessity, as the work was suspended. I have three or four more letters. This is the 27th of November 1832, from Mr. Cooper to Mr. Holbrooke: "Dear sir;—Unless I greatly deceive myself, you mentioned that among the transcripts of the Fœdera you sent me, was a royal order enjoining all keepers of records to give access to some celebrated writer, whose name I forget, to all the stores in their custody. I have looked for this order, but in vain; can you give me any clue by which I can find it." In answer to that, I waited upon him personally, and gave him a copy which I had made from the original. We were conversing upon the subject of the great charges of the public offices; and I then explained there was an order in the time of Charles II. ordering parties to have transcripts upon public business without paying fees. The next is a letter of the 16th September 1833, from Mr. Cooper to Mr. Holbrooke: "Dear sir;—We are beginning to think of the Fœdera; and I am directed to ask you for information to assist us in determining upon some plan for the future publication of the work; we find that all the proofs were returned by the printer to you, or to the late Dr. Adam Clarke. Have you any of them in your possession, or do you know what has become of them? we are very desirous of ascertaining how far the instruments in the old edition were collated with the originals; it is clear that they were, in some instances, although not in all. What is your opinion as to the necessity of collating the instruments in the old edition with the originals when the latter are to be found?" I waited upon Mr. Cooper, and personally explained every thing to him necessary upon the subject, in consequence of his having stated in the letter he was directed to make inquiries, I suppose from the board. The next is the 26th of December 1833: "Dear sir;—Your letter of the 21st of November found its way unfortunately into the wrong portfolio, which is the reason it has remained so long unanswered; there is no probability of our resuming the Fœdera at present; the only person whose attention is directed to the subject is the secretary. I am in correspondence with many librarians upon the continent, to ascertain what materials for the work are to be found in foreign collections; there must be many: lists are making of those in English libraries, and an accurate catalogue is forming under my directions of the transcripts made by order of the old board; I have also had some of the sheets in the printed work collated with the originals in the Chapter House and the Tower: this is all that is done, or likely to be done. I find so little gratitude for my exertions, that I am half disposed to throw up my office, which has been to me the source of no small loss in my profession."

1271. What did you do upon that?—I gave him at different times every information in my power, and wrote a short report upon the principle of carrying on the Fœdera, not upon the old plan, but a plan I wished to have been adopted years ago, and which I find Mr. Cooper has been acting upon in the last year. This is the 24th of February 1835: "Dear sir;—Indeed I am much obliged by all your communications respecting the Fœdera; and the reason you have heard nothing from me, is, that there has been nothing determined upon; next year, and not

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not before, probably the subject will be brought before Parliament. I am grieved much to hear of your pecuniary loss."

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1272. Was any thing done upon that?—That was the last communication I had from Mr. Cooper.

1273. Was your view of your case submitted to the consideration of the board, to your knowledge?—It never was.

1274. You say that considerable expense has been incurred in transcripts and other work done by you?—Yes.

1275. Has it been printed, the work done by you?—Almost all the early volumes of the Fœdera, particularly the first and second volumes, were transcribed by myself at Oxford, at Cambridge, and the British Museum.

1276. How much is there that is finished by you that is not published?—The transcripts for several years past were made by Mr. Bailey at the Tower; they were sent to Mr. Caley, and never found their way into my possession; I believe they are very voluminous, as well as those collected at the State Paper Office.

1277. Have you any thing further to state to the Committee?—I have only to state that I was 22 years in the commission, and I have received that very abrupt notice of Mr. Cooper's, on the 28th of April 1831; and having repeatedly called upon him, and given him every information in my power, and having been led by him to conclude that, upon the re-establishment of the board, I should be placed in some situation at the board, having been for 22 of the best years of my life occupied there.

1278. The *Chairman.*] Were you originally appointed a sub-commissioner?—Yes, in 1815. Previously to the publication of the first volume, I was employed for six years as an assistant commissioner; I was appointed by Mr. Caley, the secretary, with the sanction of Lord Colchester, then the Speaker of the House of Commons, and chairman of the board.

1279. You have never received any formal re-appointment as a sub-commissioner from the present board?—No; I received an official notification in 1815 from Mr. Caley of my appointment as a sub-commissioner, after being six years an assistant commissioner under the old board.

1280. Mr. *Charles Villiers.*] Did you ever make any application to the board yourself upon being dismissed after 22 years' service?—I considered that Mr. Cooper, as secretary, was the organ of the board, and I pressed him to lay my statement before the board; it was not correct, I conceived, to write letters or to communicate through any other person but the secretary.

Lunæ, 7° die Martii, 1836.

MEMBERS PRESENT.

Mr. Chares Buller.	Mr. Hawes.
Sir Matthew White Ridley.	Sir Charles Lemon.
The Right hon. C. W. Williams Wynn.	

MR. CHARLES BULLER IN THE CHAIR.

Charles Purton Cooper, Esq., again called in; and made the following Statement.

I HAND in, according to the request of the Committee, the letter of R. Byham, esq., secretary to the board of Ordnance, in answer to the application of the Record Commissioners, that the gunpowder under Cæsar's Chapel, at the Tower, might be removed. [*The witness delivered in the same.*] When the Chairman's inquiries were directed to the measures taken at the Tower, as to transcribing and printing the earliest rolls, I omitted to deliver in a document, affording all the information upon that head that can be desired; it is entitled, "Statement concerning the earliest of each series of Rolls in the Record Office at the Tower, distinguishing which are printed, which are in progress, and what is to be done with others;" I now deliver it in; and in doing so I will venture to remark, that as no nation ever possessed such rich archives, so none ever formed so magnificent a plan for their publication:

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lication: and that when this portion of the work, contemplated by Parliament and the board, shall be complete, it will be the noblest monument that was ever raised to the ancient glory of a people. [*The witness delivered in the same.*] I was desired by the Committee to produce copies of every work, pamphlet, notice, circular, &c. whether complete or in progress, printed by Messrs. Roworth & Son. It appears by a letter from Messrs. Roworth & Son, that the whole of the impression of two or three works was delivered; of those I can furnish my own copies, if it be desired. In laying these works before the Committee, they will perhaps permit me to draw their attention to one that is unfinished; indeed it will be seen that the Appendixes alone are printed, and that those are not complete: it is the Secretary's Report upon the Fœdera, the expediency or inexpediency of continuing that publication upon the plan adopted by the old board, and also upon the materials illustrative of the history, antiquities and literature of the British Islands, to be found in the libraries and archives of the continent. I am not going now into the motive or object of making searches and transcripts abroad, either for the Fœdera or the National Historians; but I wish to be allowed now to state, that the Appendix (A.), which I hold in my hand, was undertaken by me in the year 1832; that it has been solely compiled by myself, much of it from my correspondence with the archivists and librarians of Germany; that I devoted to it the whole of the long vacations of 1832, 1833 and 1834, and part of the long vacation of 1835, and the greater part of the Christmas and Easter vacations of those years. That in compiling it, I have examined more than 2,000 volumes, principally folio volumes, in Latin, French, German, Italian, Spanish, Portuguese, Swedish, Danish and other European languages; and that objections being some time ago made by one of the commissioners, who is now present, to the purchase of books for this undertaking, and a considerable number being still wanting to enable me to bring my task to a satisfactory close, I have myself bought, out of my private funds, all that were wanting, and which my clerk informs me have cost me more than 500*l.* As it is known to many persons that I have a very large library of my own, it is but justice to mention, that such books (like most of the books bought for the commission) are not of a kind that I have the slightest wish to possess myself. When therefore the books, in the purchase of which I have expended this sum of 500*l.*, are done with, they will not be incorporated in my own library, but exchanged for other books, or sold, and probably at a considerable loss to myself: I mention this only to show the importance I have attached to obtaining for the inquirer into English history, antiquities and literature, the matters to be found in this Appendix (A).

1281. The *Chairman.*] You said they would not be incorporated into your own library?—They are books I paid for out of my own money; but as they will be of no use to myself, when I have finished my task I shall not keep them, but they will be sold or exchanged by me. I have another matter to mention. The chairman, in the course of my second day's examination, asked me several questions as to Mr. Cole having made some report or suggestion to me respecting a calendar or index of the records in the Augmentation Office, supposed to have been compiled at the expense of the board, which was about to be sold with Mr. Caley's other manuscripts and books. When I was last here, I communicated to the Committee some information upon this matter, but I had not then found Mr. Cole's letter, containing such report or suggestion; I now have it with me; it is dated the 18th of July 1834. Mr. Cole says, "It has come to my knowledge that the greatest portion of the index to the miscellaneous rolls in the Augmentation Office was made by Mr. Charles Gay and Mr. Henry Barber whilst they were in the pay and employment of the commission; indeed the making this index constituted the chief part of Mr. Henry Barber's occupation at Mr. Caley's residence. Henry Barber received 15 *s.* a week for about four years, amounting to 150 *l.*, and was employed in writing out this index, covering about 400 rolls (a month's employment at most), and in copying Mr. Caley's private letters. It appears to me, therefore, upon no principle whatever besides Mr. Caley's *ipse dixit*, can this index be claimed as his private property; and it undoubtedly should be reclaimed as belonging to the Record Commission. The index I believe to be of extremely little value; indeed, by an improved arrangement of the records at the Augmentation Office, it will become useless in a very short time; yet, on the principle of right, it should certainly be reclaimed." This was the letter that Mr. Cole wrote to me; I have now ascertained, as I mentioned before, that this matter was fully

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investigated by me; that the greater part of this index (for it was an index rather than a calendar) was made by a person of the name of Atterbury, who was paid by Mr. Caley out of his own private purse; and although Charles Gay and Henry Barber made a portion of it, yet that this was done during extra hours; and if they ever happened to be occupied with it during the commission hours, the loss was made up to the commission by their working after time. The index was, however, as Mr. Cole states in his letter, worthless, in consequence of Mr. Cole having cut off, I presume with a view to his contemplated new arrangement, some hundreds of the labels and covers on the records indorsed by Mr. Caley, with the title, date, county and names of places on each roll, and which it had occupied the men four years in putting on.

Edward Protheroe, jun. Esq. called in; and Examined.

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1282. YOU are a member of the Record Commission?—I am.

1283. Were you member of the old commission?—No, of none of the former commissions.

1284. Were you an original member of this commission?—No, I was not; I was put on by what is called Cold Seal; the exact day of the appointment I do not recollect.

1285. Do you recollect when you first attended the board?—I rather think it was in May 1831; from December 1831 to May 1832 I was confined to my room by a very severe illness, and in June I left town for the recovery of my health, and remained incapable of attending any board till the end of the year, when my time was wholly occupied in a protracted canvass of Bristol, previous to the general Election.

1286. The Committee have before them a letter from you to the secretary of the record board, dated July 1832, and published in September of the same year; what induced you to address this letter to the secretary?—A request of the secretary that I would write my opinions upon the subject to which that letter mainly refers, the continuation of Sir Francis Palgrave's edition of the Parliamentary Writs.

1287. Was this letter printed for the private use of the board?—I conclude it was printed for the private use of the board.

1288. Did not a copy of this letter find its way into the library of the British Museum?—I believe it has; upon looking over the catalogue of books presented to the British Museum, I saw with some surprise that that letter, together with others, respecting disputes with Sir Francis Palgrave, Mr. Devon, Mr. Cole, and other gentlemen, had been presented to the Museum, and by Mr. Cooper; and I understood that a book, containing this and other record pamphlets, has been presented to the British Museum by some one of the name of Charles Hughes, of Ross or Brecon.

1289. Was Mr. Hughes, of Ross, a commissioner?—Certainly not; I know not who he was.

1290. How came he in possession of this letter, printed for the private use of the board?—I am sure I cannot say.

1291. Besides that, there is another copy of the letter in the British Museum?—That presented by the secretary. With regard to this letter, I felt some demur about having any letter of mine published at the expense of the commission; but Mr. Cooper over-ruled the objections. I communicated to him, and stated that, as the letter related to the business of the board, and as the Bishop of Llandaff was writing also a letter upon the same subject, to be published at the expense of the commission, he thought my scruples misplaced.

1292. Sir *M. W. Ridley*.] Did he at that time ask your permission or your approbation in any way to making the letter public; if it was to be printed as a letter for the use of the board, did he make known to you his intention of making it public, or consult you upon the propriety of it?—No, he did not; at the same time I must say I felt satisfaction at having my sentiments upon what ought to be the conduct of such a commission recorded; and I do not feel, as far as I am personally concerned, that the circulation of that letter was any violation of confidence.

1293. The *Chairman*.] You had stated before this the order of importance in which you thought the different objects of the commission came; in what order do you think the commission ought to have proceeded to discharge the different duties intrusted

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intrusted to it?—The arrangement of the records should, I think, be the first object; the regulation of access for the public, the second; and consequent upon that second object, the establishment of such a system as would secure access to the public generally, on the payment of moderate fees, and to persons engaged in historical or literary research the freest use of the records, relieved from the payment of all fees. The third object of the commission, I should say, would be the publication of the most ancient records, or those of the greatest historical and constitutional interest.

1294. Then it is your opinion, that the work of printing even the most valuable of those records should have been made subordinate to the prior duties of the commission to arrange those records, and to render them accessible to the public?—Indisputably; if any instances were required of the want of judgment in preferring publication before arrangement, or even of not postponing the publication to arrangement, there will be proofs submitted to this Committee in abundance. Even as relates to our commission, an instance of the unadvisableness of publication before the contents of the Record Offices are ascertained, was submitted to my notice within the last two or three months. A considerable portion of the Valor Ecclesiasticus relative to Wales, has been discovered in the Augmentation Office; our commission has published a sixth or supplementary volume to the Valor Ecclesiasticus, in which this part lately discovered is not comprised. It is worthy of remark, that the discovery of this portion of the Valor Ecclesiasticus has been made in the office which for years was in the custody of Mr. Caley, the late secretary of the Record Commission, and who was one of the co-editors of the Valor Ecclesiasticus.

1295. This being an office which has the greatest mass of Ecclesiastical Records, it would be that in which, independent of the peculiar facilities that Mr. Caley had, as keeper, it would be natural to make a thorough search while publishing any document relating to the church?—Certainly.

1296. Was not it a matter of complaint against the former commissions, that they neglected the business of arranging the records, and rendering them accessible, in order to be able to devote more time and money to the publication of their various volumes?—I believe it was a very general complaint, and, I believe, a very well founded one.

1297. Do you think that the present commission has fulfilled its duties in the order of their relative importance?—I regret to say I do not think it has fulfilled its duties: we had, up to a certain period, suspended all publications generally; all the old works of the former commission were stopped, and we had, at that moment, an opportunity, without injury to the prospects of any literary men, of ascertaining the state of the records, and we might have devoted our time and attention and our funds more to the arrangement of the records than to their publication.

1298. But the printing was resumed before the arrangement was completed?—The arrangement, so far from being completed, is a word wholly inapplicable to the present state of the records in any one office in the kingdom, with an exception in favour of the Tower, as far as relates to the classification of the records.

1299. It has been stated by the secretary, that as it appears that a greater proportion of the money has been expended in printing, in the proportion of 1,500*l.* in the business of arrangement, and 20,000*l.* in the other business of the board, the greater part of which really went in printing, that the reason of that is, that printing is comparatively so much more expensive than arrangement or repairs; do you consider such a defence tenable, unless it should be proved that all, or very nearly all, which could be done in the way of arrangement, has been done?—No, I do not consider it a tenable defence; at the same time I would remark, that I am not decidedly opposed to publication simultaneously with the arrangement of the records. I am very much surprised to hear that statement made by the Honourable Chairman, because it is not long since I remarked, that the proceedings in the record offices were very inefficient, and Mr. Cooper complained of my representation as quite unnecessary and unfair, inasmuch as a sufficient number of workmen were always to be obtained for that purpose, and there were funds abundant for the object I had in view.

1300. Do you not consider that it reflects some discredit upon the commission, that while the records are in such a thorough state of disarrangement as you describe, so enormous a proportion of its funds has been devoted to what you consider a secondary

a secondary object?—Yes, I do, and that has always been one of the subjects of dissatisfaction I have had with the proceedings of the present board.

1301. Did you send any notices to the board on the subject of fees?—I drew the attention of the board to this subject, by a notice to the board on the 23d November 1833, having, however, previously urged Mr. Cooper's attention to the subject repeatedly on former occasions. [*Delivering in a paper.*] The notice alluded to stands the first in the printed paper I have just delivered in; it is to direct the attention of the board to the following passage in the Royal Commission: "And also to make full and diligent inquiry into the duties of the several officers, clerks and other ministers having the care, custody or management of the public records," &c.

1302. What was done in consequence of this notice?—Nothing was done.

1303. Was not it discussed at the board?—When I rose to bring the matter under the notice of the board, the Lord Chancellor (Brougham) quitted the room, and broke up the board.

1304. I thought the object that Lord Brougham had most at heart was to do away with all abuses in the management of the records?—As he was the chief originator of the present commission, and had the clause inserted in the commission, by which we were directed specially to investigate into the fees and salaries of the record officers, I should conclude that such was his object.

1305. But it does not appear from the evidence before the Committee, that he ever took any effectual means to carry that object into effect?—The Committee will be able to judge of that from the evidence which has been submitted to them. It is right I should state that, after Lord Brougham quitted the board, the commissioners re-formed themselves under the chairmanship of Mr. Dundas, and that the other notices were superficially discussed; but as their attention was chiefly directed by me to the question of auditing the accounts, and as Mr. Cooper *solemnly* promised that I should have, as soon as term time was over, all the information upon our expenditure that I desired, I abstained from pressing my motion, the rather as my views were not supported by any and opposed by several of the commissioners, and I agreed to wait for Mr. Cooper's promised report, which he gave me reason to expect within so short a period.

1306. Do you consider that effectual means were taken in the outset by the commission to ascertain the extent of its duties and necessary labours, particularly with regard to the arrangement and repairs of the records?—I have previously stated, that soon after I was first appointed commissioner, I was confined to my bed by severe illness, and as my recovery was tedious, I did not attend the board, excepting once or twice perhaps, till a year after its formation; but I am not aware of any means having been taken to ascertain the general state of the records in London or elsewhere previous to my attendance, and certainly no diligent or efficient investigation has ever been made into their state at any subsequent period.

1307. Do you consider that any insurmountable obstacles have been thrown in the way of the commission by the keepers of the records in the various offices?—I am not aware of any obstacles having been thrown in the way of the commission; I believe that there may have been some degree of anxiety about the effect of our investigation, whenever it should be made into the fees or salaries of the parties who had the custody of the records; but I never experienced, and doubt much whether any one else has experienced, any opposition to a proper investigation into the state of the records on the part of the Record Office keepers.

1308. It has been stated, that the secretary on one occasion ordered the work of transcribing at the Tower to be performed *sub rosâ*, on account of these alleged obstacles; do you think that a proper mode of conducting the business of a commission?—I think it, on the contrary, highly reprehensible; I heard some years ago from Mr. Cooper, that he met with opposition on the part of the King's Remembrancer at the Exchequer Office; but what the nature of that opposition was, was never sufficiently explained to me. I remonstrated, however (by letter, in June 1833), with Mr. Cooper, upon the want of judgment which I thought he displayed in his manner of application to those officers, and suggested to him that, if any opposition was made by the Record Office keepers, either the superior or the inferior keepers, that that opposition and the nature of it should be brought fairly and plainly before our board, in order that we might, by the authority with which we were invested, remove those obstacles, and, if we had not power sufficient to remove them, apply to Parliament, stating our incapability,

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and endeavour to obtain powers sufficient to enable us to accomplish the objects of the commission.

1309. The evading the difficulty in such an irregular way as this, by getting transcripts done by a person who happened to be in the Tower *sub rosâ* for the commission, which on the face of its authority had sufficient power to get them done in a more regular way, is that, in your opinion, so proper a mode of acting as at once meeting the difficulty, ascertaining its exact extent, and, if necessary, applying to Parliament for an extension of power?—The mode of evading the difficulty was not only not an advisable one, but a highly improper one. The transaction to which the Honourable Chairman refers is one of which I am wholly ignorant; and I am at a loss to understand how any difficulty could possibly have led to such a proposition on the part of the secretary. The difficulties to which my former reply refers, are obstacles supposed to have been raised to the cleansing and arranging the records: difficulties in obtaining transcripts are what I have never contemplated, or ever heard of; and certain I am, if they existed, they ought to have been remedied in a very different manner from that which the question supposes.

1310. It has been stated by the secretary, if he had recourse to such a proceeding, it was on account of the obstacles thrown by Mr. Petrie in the way of the business of the commission; and he has stated, that the nature of those obstacles was Mr. Petrie's requiring the orders of the board before he allowed any work to be done under its sanction; do you not think in this matter Mr. Petrie was right, and that whatever business was done under the authority of the board, ought to have been done by its express order?—The objection raised by Mr. Petrie to a compliance with the order of the secretary, I conceive to be highly creditable to him; and I sincerely wish that all record keepers, and all the sub-commissioners and editors receiving the money of the commission, had had the courage, and I would almost add the honesty, to have demanded like authority.

1311. Do you not think that the alleged obstacles on the part of the record keepers, have arisen very much from the want of a proper official mode of transacting business on the part of the secretary?—I believe that they have done so; at the same time, as I am very much unacquainted with what may have been Mr. Cooper's proceedings, in getting introduction to the various offices, and conducting the affairs of the commission, I can only make the answer hypothetically.

1312. How are the meetings of the board called?—Practically they are called by the secretary, after a communication either with the Lord Chancellor, Lord Brougham, or with The Speaker of the House of Commons, who were the usual chairmen.

1313. Suppose you, as a commissioner, wanted to have a meeting of the board at any particular time, you would have to apply to the secretary?—I should apply to the secretary, stating to him my reasons for wishing a board to be called.

1314. And if it was not convenient for the secretary to call a board, it would rest in his power to prevent it being called?—Practically, I think, such is the effect of our constitution; because the parties to whom he applies to fix the days of meeting of the board, being the Lord Chancellor or The Speaker of the House of Commons, any individual commissioner would feel great reluctance to trouble those official persons, whose time is so much taken up with important business, by subjecting them to two, or perhaps several, applications for the same object. They must finally settle the day and hour of meeting with the secretary.

1315. Sir *M. W. Ridley*.] Would you not think it the duty of the secretary, such representation having been made to him, to state it to the other commissioners, and to take their opinion upon an important point?—Certainly, and I know of no instance in which the secretary has declined calling a board; it has never occurred to me to apply for a meeting of the board.

1316. The *Chairman*.] But still if the secretary chose to take a different view of his duty, or not to do his duty, it would be in his power to prevent a meeting of the board?—Practically such would be the effect, and such is the effect of the working of the commission, as it relates to the meetings of committees of the commissioners.

1317. Can you state any instance in which a meeting of the committee of the commission has been prevented by the secretary, at a time when any member was desirous it should meet?—Yes, I have represented to Mr. Cooper the propriety of the committee, of which I am a member, for the regulation of the distribution of the publications of the commission meeting, and stated my reasons why I thought

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that such committee ought to meet; but Mr. Cooper, as late as the 29th of January this year, stated to me that he must decline calling a committee of the commissioners, first, on account of his avocations in the Court of Chancery, and, secondly, because there were no applications before the board for the publications of the commission. The second reason I hold to be invalid, inasmuch as one object of mine, in wishing the committee to be assembled, was, to propose that the books should be distributed without such applications, my opinion being, that the requiring those applications was, in several cases, an unnecessary impediment thrown in the way of the distribution of the works of the commission.

1318. Do you think that Mr. Cooper's avocations formed a valid objection?—If Mr. Cooper's legal business interfered with the affairs of the board, I think another secretary ought to be appointed; I am, however, bound in justice to Mr. Cooper to state, that, on urging his private legal business as a reason for not complying with the former request of mine, relative to auditing the accounts, and submitting information about the state of our affairs, he has always stated, as in his letters, dated 20th May 1834, 20th May 1835, 26th May 1835, that it was an express understanding between him and Lord Brougham, that the record business was to yield to his private law avocations, and, to use his own words, "that the condition on which he accepted the office of secretary was, that its duties should be made in all respects secondary and subordinate to his professional avocations."

1319. So that Mr. Cooper took the office on the understanding that the business of this Royal Commission was to be made subordinate to his legal business?—It would appear so from the letters that Mr. Cooper has written to me; I, however, beg to add, that no applications of mine can reasonably be stated ever in their effect or consequence, if complied with, necessarily to have interfered with Mr. Cooper's legal avocations, the information I required being such as ought to have been in existence at the time I applied, and such as ought to have been producible at a moment's notice by any one of his clerks.

1320. Are there any fixed periods for the meeting of the board?—None.

1321. How is the course of the business to be done at each meeting of the board arranged, and who prepares the notices for the Agenda?—The business for each board is regulated by the secretary; he prepares the Agenda, and regulates the notices according to his own idea of their importance and interest.

1322. Do the commissioners ever give notice of motions on their own part?—Yes, Lord Dover gave a notice about the building of a general record depository, and I have given on two or three occasions other notices.

1323. Sir *Charles Lemon.*] How are the Agenda prepared?—The Agenda at first were merely written; afterwards, Mr. Cooper adopted the plan of printing the Agenda; subsequently the Agenda having formed a volume, Mr. Cooper stopped the work, and notices of business, or the Agenda, are now again put in writing.

1324. Were the notices prepared entirely by Mr. Cooper, or at the suggestion of any member of the committee?—Entirely by Mr. Cooper.

1325. Without any previous arrangement among the commissioners?—Certainly, without any previous arrangement: I may perhaps add in elucidation of that question, that the Agenda is so much under the control of Mr. Cooper, that a member may write a letter or a report to be inserted in the Agenda, and Mr. Cooper may publish that letter, having expunged any part of it which does not please him, or which he thinks it to be inexpedient to publish. I addressed a letter to the secretary, in which I made a protest that I considered of very great importance to my character, as a Member of Parliament, or as a person likely to be again in Parliament, relative to the sum of 500*l.* a year, granted by the commissioners before I was a member of the commisson, to Mr. Caley, the late secretary. The passage was expunged, and the only notice I received of the omission of this passage was, the seeing my letter printed so mutilated in the Agenda.

1326. Then, in point of fact, it has been at the discretion of the secretary not only to select the business for each meeting, but also to modify that proposed by the commissioners?—It appears from the reply I have just given, that the secretary has the power to alter a communication made by a commissioner in the form of a report, containing his sentiments with respect to the affairs and conduct of the board; but I cannot say that Mr. Cooper would think himself authorized to alter a direct notice of a motion that a commissioner has given, because I have no instance of such an alteration being made. But Mr. Cooper did take the liberty of putting on the Agenda for 18th December 1835, a notice, for which he had no sort of authority from me, viz. "Objections brought by Mr. P. against the mode

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in which the business of the board is conducted." Now I considered this an uncalled-for interference, since I had given a long list of notices, which he postponed to this notice of his own, and I considered his notice either useless or inexpedient. It was the secretary in fact determining in what manner a commissioner should bring forward his motions.

1327. Mr. *Hawes.*] In the case in question was any reason assigned for the omission of the paragraph in the letter?—Mr. Cooper told me he thought it inexpedient that Parliament should become cognizant of our having given what must be viewed as a pension by the commission, that the Agenda would be in the library of the House of Commons, and that this grant would thereby become known.

1328. Sir *M. W. Ridley.*] Do you think that the private avocations of the secretary have at any time interfered with or hindered the due and proper proceedings of the board?—Of course; if those excuses that were made to me were sincere, the legal business of the secretary has interfered with his duty as secretary; but I really do not think that his legal business need at any time have interfered with such business as I proposed to him, business which related solely to the production of an analysis of the accounts: such analysis, if not made during term time, might be made before term time; the meeting of the library committee need not have been attended even by the secretary; and, after all, the business to be discussed at the book or library committee might have been despatched in a quarter of an hour, or half an hour, therefore I cannot conceive that the legal business of the secretary need have interfered with his duties as secretary to the Record Commission in any matters to which I called his attention.

1329. Can you state to the Committee any instances you recollect in which the business of the board has been actually impeded or stopped in its progress by the private avocations of the secretary?—Not directly. I do not know whether the Committee will consider that the business has been stopped, when I say, that for three years consecutively Mr. Cooper has deferred the meeting of the auditors of accounts, because both he and his clerk also, according to his letters to me, have been so fully employed, that it was quite impossible for him to give his time and attention to the subject. If that is considered an impediment to the discharge of the business of the commissioners, undoubtedly his law business has not only been raised by him as an impediment to the discharge of the record business, but has actually proved to be an impediment to it. I have felt that it was extremely inconvenient to put off the audit of the accounts, which are made up to the 12th March in each year, to the end of June or July, or to the beginning of August; and, as far as I am individually concerned, my stay in town has been twice inconveniently prolonged by such a delay, or I have been obliged to return to London for that purpose alone.

1330. The *Chairman.*] Have the private legal avocations of the secretary ever been urged to any commissioner besides yourself as a reason for not doing the work of the commission?—They were urged at the board in opposition to the production of the information required by me in November 1833, and Mr. Cooper stated, that he considered I pressed him very hard in requiring the information at that time. Again, I must state to the Committee, that the information required at that period was nothing more than information that ought to have been produceable at a moment's warning at any time. Mr. Cooper stated to me that he would prepare the information I required in the ensuing vacation.

1331. Mr. *Hawes.*] Upon what point was the information required?—Some only of the documents proposed by me in the Paper given in, viz. Notices for November 23, 1833, information as to the expenditure of the commission, the appropriation of our funds, the salaries and the remuneration of editors, and the operations in the different record offices; but in February 1834, Mr. Cooper stated to me by letter, dated 3d February, "I have done nothing as to any report, as I promised you I would," as indeed he had so *solemnly* promised me in November preceding.

1332. During the period you have mentioned, was there not a Return made to Parliament respecting the expenditure under the Record Commission?—There was a Return made to Parliament on the motion of the Honourable Chairman in 1834; but I have never thought that our knowledge, and consequent regulation, of the expenditure of the commission ought to be made dependent in any way upon the applications of individual Members of Parliament, or even the Order

Order of The House of Commons; but that we ought to have all our affairs set before us for our own control, direction and satisfaction.

1333. You have stated for three years you have applied for some information respecting the accounts, and from time to time they have been delayed?—I think my application for the production of the analysis of the expenditure was contemporaneous with my first attention to the affairs of the commission in September 1832, and the same applications and exertions have been continued up to the present moment.

1334. The *Chairman.*] When a member gives notice of business, does that notice take precedence of the notices given by the secretary?—No; on the occasion alluded to, my notices of November 1833, the general business of the board on the manuscript paper in Mr. Cooper's hands was regularly gone through, before I was allowed an opportunity of bringing my printed notices before the board; and again on the 18th of December 1835, and the 27th of January 1836, my notices have regularly come on subsequent to the business which Mr. Cooper has thought it right to bring before the board.

1335. Has it ever happened to you that any of the notices you have given were not discussed at all, owing to the want of time?—Yes, in all the instances in which I have brought forward notices to the attention of the board, some have remained for subsequent discussion.

1336. When they were postponed for want of time from one meeting, have they precedence at the next meeting over notices given by the secretary?—No, they had not.

1337. What is the usual hour of meeting of the board?—The usual hour, I think, has been three o'clock, sometimes we have met earlier.

1338. How long do the meetings generally last?—As long as day-light lasts in winter, or the natural impatience of members of the board, previously tired with official or Parliamentary business, will allow them to sit in summer time.

1339. Mr. *Hawes.*] Or necessary attention to duties in Parliament then about to commence?—Our meetings have generally been held on Saturdays, in order that The Speaker might have an opportunity afforded him of attending, he being the regular chairman.

1340. The *Chairman.*] Then, in fact, the secretary has had it in his power practically to appoint when you should meet, how long you should sit, and what business you should do?—Practically he has had that power, except as to the time of our sitting, because that has been regulated with reference to the valuable time of The Speaker of the House of Commons, or the Lord Chancellor: occasionally, however, both on boards and committees, with reference to the legal avocations of the secretary himself.

1341. The Right hon. *C. W. Williams Wynn.*] Do you mean that any board has ever adjourned upon the ground of the legal avocations of the secretary?—No, I did not say that any board was ever "adjourned," but the previous question had reference to the duration of the sitting of the board, and to the hour at which the board met; that, I believe, has usually been three o'clock, for the accommodation of The Speaker of the House of Commons, or the Lord Chancellor; but I am certain that committees have been regulated in their hour of meeting with reference to the legal business of the secretary, and I have a very strong impression of the appointment of a board having been influenced by the same fair consideration.

1342. Mr. *Hawes.*] In fact, consistently with the understood condition of the secretary's appointment?—That condition is asserted in Mr. Cooper's correspondence repeatedly, solemnly and distinctly to me; but I did not treat it as a grave condition, or as one recognized by the board, or that I have ever heard of myself from any other person.

1343. The *Chairman.*] Were there any bye-laws made, or any regulations for the conduct of the commission upon its assembling as a board or on committees?—Not that I am aware of; but not having been an original member of this commission, nor able to attend in consequence of illness at the commencement till the second year, I am not able to answer the question decidedly: I know of none.

1344. You stated the objects of the commission in their order of importance; can you state the total amount expended since the existence of the present commission, upon what you consider its principal objects?—Certainly not.

1345. How comes it you are not aware of so important a part of the conduct of the commission of which you are a member?—Because no analysis has at any time been made, either of the expenditure during any one year, or of the expen-

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diture during any period of years. I have been always extremely sensible to the necessity of having such an analysis, and I must say that I think great discredit attaches to the commission for not having such an analysis made.

1346. Mr. *Hawes.*] Has the necessity for having such an almost indispensable document been pressed upon the commission at any of their meetings?—Viewing this as a matter which depended very much upon the will and opinion of the secretary, I limited my exertions to obtain this analysis for a long period to communications with the secretary; I have subsequently brought the matter under the notice of the board in 1833, in the notices alluded to already, and I submitted an analysis of my own making by way of specimen. In the summer of 1835, again in November 1835 and January 1836, I repeated likewise motions proposing such an analysis; I have also repeatedly noticed the importance of having such a document to the gentlemen with whom I have the honour of being associated as auditors of the accounts.

1347. The *Chairman.*] Have you not personally inspected the operations carried on in several offices, and is not the result of your inspection stated in the Agenda?—There is a statement in the Agenda of the personal inspection I made two or three years back; but I wish it to be distinctly understood that I have not continued any regular superintendence of those proceedings, because I should be extremely sorry if it was thought that they were conducted always in the way that I approved, either as to system, extent or result. That statement which appears in the Agenda was printed at my request, in order that the commissioners might know what I had been doing at that period. Mr. Cooper having stated at a board that I had created insubordination amongst the persons employed by the commission, and that he had heard nothing "but Mr. Protheroe here and Mr. Protheroe there," and that my recommendations were in opposition to his own, who was the proper organ to conduct the affairs of the board, I remonstrated at that time against Mr. Cooper's representations, and assured him he was perfectly misled, or that the parties were stating what was false with regard to my interference, and that I would, to satisfy him upon that point, and the commissioners also, submit a statement to be printed in the Agenda, showing what I had done. I was subsequently recommended by one of the commissioners to be a little careful in my conduct, and to suggest what alterations I thought desirable in the manner of conducting the business to Mr. Cooper. So seeing that my exertions were liable to be misconstrued by the commissioners, and misrepresented to Mr. Cooper, I relapsed into a state of what I may characterize as very gentlemanlike inactivity.

1348. And after that no complaints were made against you?—No; but I believe that the nature of my interference was at once explained, and that it was seen both by the commissioners and Mr. Cooper that I had not interfered with any orders of the board, and that the representations that had been made were erroneous.

1349. At any rate, no such complaints were made when you had relapsed into this state of inactivity?—No.

1350. Do you adhere to the statement you have made in that paper of the condition of the Augmentation Office; do you think it was not exaggerated?—Certainly not exaggerated; it was as dirty as a chimney sweeper's room may be.

1351. What is your opinion of the mode in which Mr. Caley conducted the arrangement in the Augmentation Office, the Chapter House and the Rolls Chapel?—It would perhaps be unfair to visit upon Mr. Caley the errors which originated from various sources, the commission, Parliament and the public, and to lay upon him the blame of a system which showed that an extensive orderly and business-like plan of cleansing and arranging the records had never been contemplated or settled; but indisputably the operations were carried on in the Augmentation Office in a very drowsy and filthy manner.

1352. The Committee wish to direct your attention particularly to Mr. Caley's arrangement of the records, which you say have been left in this filthy and disorderly state; Mr. Caley arranged these records and bound them; what do you think of the arrangement he carried on, do you think it was a clear and satisfactory one?—I think the principle upon which he went was faulty; he did not examine at once the contents of his office so as to ascertain what series existed of the different rolls; but he proceeded clearing and binding at once, and in binding it is evident to any one who will take the trouble of looking at the volumes, that he

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bound documents together that had no relation the one to the other: the manner in which the documents are bound together is very injudicious; in some cases the large documents are bound up with small, and the fold occurs exactly at the place where the accounts or the numbers are put down; in others, small documents are bound up with large, increasing thereby a wasteful expenditure in parchment; in other cases the indorsement upon the bound books is incorrect; and again, it varies where the documents are the same: of these facts I was not cognizant at the time I wrote that Report of the state of the Augmentation Office; my attention was then directed chiefly to the abominable filth and dirt that existed there, and also to the impossibility of a man cleaning the records neatly with such poor accommodation.

1353. But Mr. Caley's arrangement, according to your account, must have been an entirely artificial one, in which chronological and topographical considerations did not afford a proper clue to the inquirer, and the value of which was dependent entirely upon complete calendars and indexes?—It was utterly impossible that Mr. Caley could make a good arrangement of his records, having commenced binding them before he knew what was in the office. At the time he was binding them, not above one-eighth part of the records of his office were clean, and I should say that full one-third were wholly unknown to him, by his own confession to me.

1354. Do you not think that it is most important, in order to render the records properly available without great loss of time, that all the records relating to one matter and one period should be brought together?—Certainly; and therefore to bind up the records in the office before the whole contents of the office are arranged, must be injudicious with a view to such an arrangement. Any arrangement of the records of the office must be, I should say, made with reference to the subjects, and then to the dates of the records on those subjects.

1355. After your visit, Mr. Cole was placed in the Augmentation Office?—Mr. Cole was placed in the Augmentation Office to superintend the cleaners and binders.

1356. Did Mr. Caley after that time until his death actively superintend Mr. Cole's operations?—Certainly not; I believe Mr. Caley never came near the office after that visit of mine; and one of the principal motives I had for interfering with the office, and suggesting to Mr. Cooper that some other person should be appointed to superintend the operations conducted in that office, was the belief, that Mr. Caley, according to the representations I had heard, had never been near the office for a long time, and was in such a state of health that rendered it most probable he would die at any moment. I suggested the change, because I thought there was no efficient superintendence given over the operations conducted in the name of the commission, or over the office itself, the keys being in the hands of the head workman, Charles Gay.

1357. It is stated in the Return to Parliament, that Mr. Cole was arranging the records under the superintendence of Mr. Cooper, the secretary; did Mr. Cooper exercise an active superintendence over him, do you know?—I know nothing at all as to the nature of the superintendence that Mr. Cooper exercised over the operations.

1358. Do you suppose that Mr. Cooper, with his avocations as secretary and his private legal business, could have had time properly to superintend the business of the arrangement?—I will not say that Mr. Cooper might not have established some system by which he could have exercised an efficient control over the operations, conducted by so intelligent and trustworthy a person as Mr. Cole; but Mr. Cooper himself complained to me of my having imposed upon him large additional duties by the new arrangement, in conducting the operations in this office. Mr. Caley had previously paid the workmen engaged in repairing the records both in the Augmentation Office and the Chapter House and the Rolls, and the consequence of my plan, which Mr. Cooper adopted, was, to throw the burthen of payment upon Mr. Cooper's clerk. Mr. Cooper considered there was an additional responsibility thrown upon him by the arrangement as to the repairs, and placing persons immediately under his control in the office; he consequently told me, he should look to me for superintending the proceedings in the Augmentation Office, and he requested me, as the author of this new arrangement, to make occasional visits to the Augmentation Office: hence my more intimate acquaintance with the proceedings in that office, and with Mr. Cole, the sub-commissioner, engaged in that work.

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1359. Have you had any opportunities of seeing what Mr. Cole's management of the office was in regard to keeping it in good order?—Yes.

1360. Did he keep it in better order than Mr. Caley?—There was nothing like order in Mr. Caley's time; and I believe within a very few months, if Mr. Cole's operations had not been suspended, the office would have been completely arranged.

1361. I am speaking not of the arrangement, but of the cleanliness of the office?—The office was filthy before, and it was immediately made perfectly clean.

1362. Do you think Mr. Cole introduced an improved system of arranging the records?—I believe that he did. It is proper to state, that great inconvenience, I think, must be felt by Mr. Cole in having the records of the Exchequer brought there to be arranged by him, and cleansed by the other workmen of the commission; such an arrangement as was desirable could not, even under Mr. Cole, have been completed under such disadvantages.

1363. Do you not consider there was a material difference between Mr. Cole's system and the arrangement of Mr. Caley?—A comparison can scarcely be made between the condition of the office when I entered it to set the men at work, and when it had been under Mr. Cole's care for a few days. There was all the difference between positive filthiness and cleanliness: there was all the difference in the world, because the general process of cleaning commenced, and there has been no binding of records since Mr. Cole came into the office, until a series of records has been completed. A very beneficial alteration has been made in substituting portfolios for books, a plan which may not in all cases be desirable, but as we have large masses of records to arrange, and we cannot expect to have all bound, it appears to me that it will be found probably the best system to put the records in portfolios, and not to attempt binding them. This matter will admit of farther illustration, and perhaps requires explanation.

1364. Is not the arrangement in a chronological and topographical order in a much more satisfactory state?—It must be so, inasmuch, as at the expiration of Mr. Caley's trust, the records were not arranged, but in a state of confusion.

1365. The question refers to those bound by Mr. Caley; do you think that Mr. Cole's system is better than the system pursued by Mr. Caley, as to those he bound?—Undoubtedly.

1366. Should you be prepared to learn that the systems pursued under Mr. Caley and Mr. Cole have been always precisely the same, and that the whole merit of either arrangement, whatever it might be, was that of Mr. Charles Gay?—The statement cannot have been seriously made by any one acquainted with the business of the commission.

1367. Do you suppose Mr. Charles Gay is a man of education, competent to the business of classing and arranging records?—Probably the Committee do not know who Charles Gay is; he is an old workman of the commission, who, at the time the change was made in the arrangement of the Augmentation Office, was employed partly as a domestic servant to Mr. Caley, and partly as a workman in cleaning the records; he was employed by Mr. Caley during the period of his illness, and perhaps previously, in bringing the records from the office up to Spa Fields, and putting them back again, and has therefore become, I dare say, very well acquainted with the general nature of the records of the Augmentation Office, and I believe he is capable of reading so much Latin as to ascertain the dates of the Kings' reigns, and the names of the Kings in the records; but nobody would treat Charles Gay as a Record Office keeper, or as a person to be viewed as a man of education; he is a highly respectable servant of the commission, and a good workman.

1368. Do you think that the board has been satisfactorily exercising the duties intrusted to it by the commission, if it has left the whole arrangement of these records to Mr. Gay?—I never understood that the arrangement of those records had been left to Mr. Gay, and if I could have supposed such was the case, I should have protested against it most warmly. The reason I had for urging Mr. Cooper to come into the office, and appoint Mr. Cole to superintend the repairs of records was, that Mr. Caley, owing to his health, was not able to superintend the operations, and that the office was left to an old servant, and the common workmen of the commission; and subsequently, I confess I have viewed with no small concern the state of those records when left by Mr. Cole, imagining there was no fit person appointed to take his place as superintendent of the

the repairs and arrangement of records; it being understood that my remarks do not refer to the custody of those records, which is an entirely distinct question.

1369. Did you not direct the attention of the board to the insecurity in which the Augmentation Office was placed as surrounded by fires?—I think some observations of that kind were in the Agenda before alluded to; but the insecurity of the records in the Augmentation Office is not greater or so great as that of many others equally valuable.

1370. Were any measures taken upon that representation of yours?—I think some time subsequently an inspection took place of those records. I had the honour of going with the late Speaker of the House of Commons and Mr. Wynn, and, I believe, another member of the commission, and reports were made to our board and to the Board of Works, and some military authorities, on the insecurity of the records at the Chapter House, the Exchequer, and the Tower.

1371. Did not the fire that burned down the House of Commons show that your alarms were by no means unnecessary or over-strained?—I believe no one imagined that the alarms were unnecessary or over-strained; nor if any one was to say that all the important records in the Kingdom could be consumed before a sufficient number of fire-engines could be brought to the spot, would it be an exaggerated statement.

1372. Did not these records really experience great danger, and some loss, at the time of the fire?—They were in very great danger.

1373. You were present at the fire?—I accidentally walked down some time after the fire commenced, and was called upon by one of the sub-commissioners, Mr. Black, to exercise that authority which I did not believe I was possessed of, but under which I was induced to commit, the act of bursting open the door, on the representations of every body around me that the records must be burnt if the door was not burst open, and the records removed.

1374. Were not you obliged to fling the records into the street?—After every exertion had been made to remove the records in baskets, and what drawers and sacks existed in the room, it was thought not unadvisable, as the only remaining means of securing the records that were yet in the room, to throw them out of the windows; at that moment I must inform the Committee, that the fire had taken Bellamy's, and the gas had exploded below, and there was every appearance of the immediate destruction of the room; consequently if any of the records were damaged or exposed to wet, or thrown into the gutters, the alternative of throwing them into a pool was better than leaving them to be burnt; but still we are not to judge by the event, as the room was not consumed; for had the wind blown from any other quarter than it did, and with less violence, these rooms must have been consumed, as the fire did reach the next room.

1375. Was Mr. Cole present at that time?—Mr. Cole was present, I believe, the whole time; I think he came down about the same time as myself.

1376. Do you think that Mr. Cole neglected his duty on that occasion as regarded these records?—Certainly not; he was actively engaged up to the very last moment, and he only left the rooms of the Augmentation Office when I intimated to him I was about to withdraw, and I thought he ought also to withdraw; for Lord Fitzclarence mentioned that the gas had not been let off, and it was likely to explode below, and I thought our lives likely to be endangered if it exploded. There was also danger from the fire.

1377. Do you think Mr. Cole neglected his duty in afterwards leaving the spot after what had been done?—I quitted the scene before Mr. Cole had quitted it, and I certainly did not leave it until I thought every thing had been done to secure the records, not only by removal from the Augmentation Office, but by collecting them in all ways from the ground upon which they had been thrown: the business which remained to be done, was only to guard the records in St. Margaret's church, and to see that no damage was done; but I think that scarcely any thing remained to be done when I left.

1378. At what time did Mr. Cooper make his appearance?—I think Mr. Cooper came down about 12 o'clock; that was after we had quitted the Augmentation Office, and considered that it was unsafe to be there. In making this statement, I beg, however, to say, that I do not suppose that the question or my answer is supposed to reflect upon Mr. Cooper for not having been there, because a mere accident might have prevented my being present, and the Augmentation Office might have been consumed before Mr. Cooper had notice of it; it was a

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happy accident that Mr. Black or Mr. Cole were there, there being no place attached to the Augmentation Office where any person who had the custody of the office, or any sub-commissioner or person belonging to the office, or our commission, had a bed, or even a sitting-room.

1379. Sir *M. W. Ridley.*] It was not part of the duty of any person belonging to the Record Office to be in attendance at the time that the fire unfortunately took place?—No; it is one of the many omissions in the custody of the records of the Kingdom, that the individuals, in whose care they are nominally placed, must necessarily be absent from the place at night, there being no dwelling attached to them.

1380. Mr. *Hawes.*] The risk was incurred by the indifference of the commission previously as to the situation of the records?—I am afraid we must be obliged to bear the burthen of such a charge; but at the same time, the general insecurity of the records ought to have awakened the attention of the public and Parliament, as well as the commissioners. No representation had been made to Parliament of the insecurity of the records by the commission, of which I am a member, general representations of insecurity, I believe, had been made by the commissioners who belonged to former commissions.

1381. The *Chairman.*] Are you not one of the auditors of the commission?—I am.

1382. Is the audit and examination regularly provided by the regulations of the board, or is it irregular and accidental?—In saying I am one of the auditors of the board, I beg leave to explain there are no such officers regularly appointed to continue auditors, and to be auditors at all times of the expenditure of the board; I, as well as Mr. Hallam and Mr. Allen, have happened to be nominated auditors, on all occasions on which the accounts have been audited; it does not appear to have been provided regularly by the board, because in two instances Mr. Cooper has written to me, that an audit would take place, in consequence of my representations, and in 1834 he stated it was not his intention to have any audit at all in that year; but subsequently, in consequence of my strong representations, we did audit the accounts.

1383. How often, in fact, since you have been a member of the commission, have the accounts been audited?—Three times.

1384. Mr. *Hawes.*] In five years?—Yes.

1385. The *Chairman.*] Do you think that the accounts are made out with sufficient minuteness?—The system of accounting I have always disapproved, and it has been condemned; and, in consequence of the representations of the present Chancellor of the Exchequer, Mr. Rice, a committee was appointed, of which the Chancellor of the Exchequer, Mr. William Brougham and myself, were members, and a system was proposed in our report, which, I am happy to say, is agreeable to the plan that I was anxious to propose to the commissioners on former occasions.

1386. Mr. *Hawes.*] Were the accounts submitted to Parliament in consequence of the Returns lately moved for, submitted to the commissioners before they were presented to The House?—They were not.

1387. Had the commissioners, as far as you know, any cognizance of those accounts?—No official acquaintance with them; they may have accidentally seen them.

1388. Was any board called, in consequence of the Returns that were moved for, to take them into consideration?—None.

1389. Has that subject ever been put into the Agenda, as part of the business of the commission?—I believe never. I am not certain whether a notice of mine may not literally in words, as it did in fact, include a reference to the Returns made in 1834.

1390. The *Chairman.*] Did you ever ask for any explanation with regard to those Returns?—No; I think I never asked for any explanation; I saw them soon after they were printed for the use of The House, and perceiving at once they would not answer the purpose which I had in view when I put in 1833 into Mr. Warburton's hands instructions for Returns to Parliament, I laid them aside, convinced that they would be wholly useless for the purpose of elucidating our expenditure; and it was not till the close of the last year, that I directed my attention to them in a serious manner.

1391. Mr. *Hawes.*] Did you observe in the Returns made to Parliament, moved for by Mr. Buller, that the secretary had overdrawn, that he had advanced money

to

to the commission?—If that is stated in the Returns, I must have seen it; but I beg to say, I treated the Returns as very trumpery; and being exceedingly discontented that no Returns had been made pursuant to the notice I had thought proper to put into Mr. Warburton's hands, and which would have been a continuation of the Return made in answer to a Motion of mine when a Member of Parliament, I scarcely gave these Returns any attention, especially as they had not passed under the notice of the board, or been sanctioned by my own authority, as one of the commissioners.

1392. Did it appear by the last audit that the secretary was overdrawn?—I cannot answer that question immediately.

1393. Will you give the date of the last audit?—In my next examination I shall be able to answer that question.

1394. The *Chairman.*] In auditing the accounts, did you become acquainted with any expenditure or payment of which you had been previously ignorant?—Yes, a great many.

1395. Of any amount?—A very considerable amount.

1396. Mr. *Hawes.*] At which audit did you first become acquainted with any expenditure of which, as a commissioner, you were ignorant?—We became acquainted with expenditure of which we were ignorant as to its nature and object, only perhaps at the first audit; but in all subsequent audits I have become acquainted, and I should say, that my colleagues have become acquainted, with payments to individuals, with whose names even we were wholly unacquainted, although the objects for which those payments had been made had become known to us at the previous audit. Perhaps I shall best explain my answer by stating, that, for instance, in the purchase of books we became acquainted, for the first time, with any large expenditure of that nature on our first audit; but subsequent bills for books were sent in from other booksellers, which purchases we had not been previously acquainted with. We became cognizant at the first audit of sums paid for foreign collections, said to be for the continuation of the Fœdera. At our subsequent audit we became acquainted with the names of other parties to whom payments had been made, besides those whose names had occurred the year before.

1397. The *Chairman.*] By whom were those payments made?—By Mr. Cooper.

1398. By any authority from the commissioners?—I am not aware of any general order for incurring this expenditure; certainly none for the particular payment.

1399. Sir *M. W. Ridley.*] Was Mr. Cooper authorized by the situation he held under the board to incur those expenses without the previous consultation and approbation of the board?—I know that this has been a matter of dispute between Mr. Cooper and myself, or a matter of amicable discussion rather; but I should say he was not authorized by any Minute, although he may have thought himself authorized by a kind of tacit acquiescence on the part of the commissioners, to whom he may have mentioned the matters in a general manner when assembled at the board, or privately, on other occasions.

1400. Mr. *Hawes.*] Upon what ground, as an auditor, did you sanction payments made by the secretary without the direct authority of the board?—The question assumes that the duty of the auditors on our board was different from that which it was considered to be by the auditors themselves and the commission. I understood, and so it was agreed between Mr. Hallam, Mr. Allen and myself, that our duty was solely limited to seeing that the vouchers agreed with the bills, and that both agreed with the entries in that book, which I think is falsely called Ledger (and which ought rather to be called Journal), and the petty Cash-book. Having therefore ascertained that the bills and the vouchers and the ledger and petty cash-book all agreed together, we conceived we had discharged our duty, and that we had nothing whatever to do with the sanction of the board to this expenditure: I cannot, however, help saying, that with that view of our duty, I was not at all satisfied as regards its utility, for I conceived it was only half effecting that which it was desirable we should perform; my views were not, however, approved of by the other commissioners. If the ledger and petty cash-book are examined, it will be seen that the statement to which we, as auditors, affixed our names, has reference only to the fact of the agreement of the bills and vouchers, with the entries in the petty cash-book and the ledger.

1401. That is to say, bills presented by the secretary as bills incurred on account of and by the order of the board?—Yes. Another statement is regularly affixed to those accounts before they are sent in to the Treasury, in which it is

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stated that those bills have been incurred by the approbation of the commissioners, and this is signed by a quorum commissioner, and this statement has been always signed, I think, by Lord Brougham.

1402. Is there any other quorum commissioner who has ever signed that statement but Lord Brougham?—No. I cannot certainly state what quorum commissioner signed the last in 1835.

1403. Then upon that quorum commissioner, whoever it may be, devolves the responsibility of sanctioning such payments as the secretary charges to the board as expenses incurred by the order of the board?—Certainly. And I beg it to be understood, that I feel quite assured it would have been thought an assumption of authority to which I had no claim if we had disputed any one of the payments that came under our notice.

1404. Will you inform the Committee who are the quorum commissioners?—The Lord High Chancellor, the Secretary of State for the Home Department, The Speaker of the House of Commons, the Chancellor of the Exchequer, the Master of the Rolls, and the Lord Clerk Register.

1405. Those are the gentlemen upon whom the duty devolves of ascertaining whether the bills presented by the secretary are bills for expenses incurred by order of the board?—I suppose they are the persons who, according to the constitution of our commission, are to be called upon by the Treasury to affirm that the expenditure incurred has received the approval of the board, because Mr. Cooper stated that the Treasury did not consider that our signatures were sufficient, and that they required him to have the accounts approved of or signed by a quorum commissioner.

1406. Therefore the quorum commissioner was not called upon to sign the accounts until after you had audited them?—No.

1407. The accounts did not come to you as accounts sanctioned by the board, but accounts presented by Mr. Cooper as what were afterwards to be certified to be accounts incurred by the sanction of the board by a quorum commissioner?—The result or the demand for the subsequent signature of a quorum commissioner proves that this representation is correct; but we received those bills as bills of expenses incurred by the secretary in the discharge of the business of the commission.

1408. In fact, the same gentlemanlike indifference pervaded the accounts as the records?—I should certainly say yes.

1409. The *Chairman.*] In fact the finances of the commission were carried on in this way, that the money voted by Parliament was put into the hands of the secretary, and that the secretary incurred what expenses he liked, and made what payments he liked, without ever taking the formal authority of the board for any payment he might make?—I think that that statement would scarcely be a fair one. At the same time, the secretary has indisputably incurred an expenditure both in some of its objects and in its extent unknown to the commissioners both before it was incurred, and subsequently to its being incurred; and he has made payments to several individuals for whose employment I am not aware of his having any minute of the board, and he has augmented the salary of individuals under the employment of the board without any direct authority from the commissioners at a board.

1410. On what authority is the money paid; are the checks signed by the commissioners or by the secretary alone?—I would respectfully recommend the Committee to order the production of the Report of the Committee which I have before alluded to, and of which the Chancellor of the Exchequer, Mr. William Brougham and myself were members; and I believe the Committee will there find the mode of conducting the business of the commission, up to the present moment, very fully detailed. I have no objection whatever to answer any questions; my only reason for suggesting this to the Committee is, that they will see the plan fully detailed, a frank admission of its evils, and a most complete condemnation of it.

1411. The Committee have that paper before them?—Then I will say, that the checks are not signed by the commissioners; the payments have been made, and, for any thing I know, are made up to the present moment by the secretary alone, and sometimes by a clerk, because the only system upon which the books were made up was, that the book, called the Ledger, contained the payments made by the secretary, and the Petty Cash book containing the payments made by the clerk. If any payments have been made since the 27th January last, they must

must have been made not according to the recommendation of the committee, or the order of the board adopting those suggestions, since no board has been held.

1412. Mr. *Hawes.*] Who are the bankers to the commission?—Messrs. Williams were the bankers at one time.

1413. At present?—I do not know.

1414. The *Chairman.*] So that being a commissioner, you do not know where the money is?—It may be a very censurable ignorance on my part, but I confess I do not know where it is. I have certainly heard the bankers' names; but having had no sort of control over our finances, I may be well supposed liable to forget those names.

1415. Mr. *Hawes.*] You cannot state whether it is or not carried to the private account of the secretary?—I can tell nothing about it.

1416. The *Chairman.*] It seems to me that you have so entirely confided in the integrity of the secretary, that if he had chosen to misappropriate the whole money, you could not have prevented it?—We are certainly indebted to the honesty of the secretary for not having misappropriated the money. I am not aware of any check upon him that exists.

1417. For instance, supposing the secretary to have been dishonest; what was there to prevent him, the day after the Parliamentary grant was paid, from going off with the whole of the money?—I know of none. I suppose he had the power to do it, as he certainly had the power to incur an expenditure of 700 *l.* or 800 *l.* upon certain objects, for which I, for one, conceived he had not expended above 100 *l.*

1418. Mr. *Hawes.*] Do you at all recollect it ever having been stated to the board by the secretary, that the sum of 8,000 *l.* was due which was wholly unprovided for: I state the fact upon the authority of the minute-book of the date of June 27th, 1831?—I was not present at that board.

1419. Did the old commission give to the new commission an account of their receipts and disbursements, and the state of their funds?—I really do not know: the first inquiry I made with respect to the financial affairs of the commission was in September 1832, and I was referred by Mr. Cooper to the statement in the Agenda, the Parliamentary Estimate, and his Pamphlet upon Sir Francis Palgrave's work; but I received no satisfactory information. I may just add this, that I wish to state that my investigations into the financial state of the commission were always stopped by the want of having an analysis of the expenditure, and a plain and definite and clear balance-sheet made out: I postponed all investigations until I could obtain these, as I thought, necessary documents.

1420. There was no such balance-sheet laid before you by the old commission?—I never saw such a thing.

1421. Were the account-books of the old commission put into the possession of the new commission?—I do not recollect the statement Mr. Cooper made to me upon that subject.

1422. The *Chairman.*] When you discovered those items of expenditure, of which you were ignorant before, in the process of your auditing, did you or the other auditors make any representation to the board upon the subject?—No.

1423. Did you to the secretary?—We expressed, as well as I remember, some uneasiness to Mr. Cooper at the large amount of expenditure on printed books, which, I think, exceeded 700 *l.*; but our observations were damped by perceiving that Mr. Cooper disliked them, and he very plainly told us, that his zeal in the service of the commission would be seriously diminished, if we cut off from him the privilege of making this expenditure: I, for one, certainly desisted from my remarks, hoping that they would have the effect of diminishing the expenditure for the future, and convinced that it was a part of the price that we were to pay for the zeal of the secretary.

1424. When you found the secretary so averse to enter into your views, did you make any representations to the board?—It did not appear desirable to Mr. Hallam and Mr. Allen that any such representation should be made, and being the junior member of the commission, and indisputably considering it was expedient to defer to the judgment of those gentlemen with whom I had the honour of being associated, I did not consider it desirable to pursue the question; I, however, at various times, have endeavoured to obtain such an analysis of the expenditure as would bring all those items that I conceived unknown to the commissioners in general, under their notice.

1425. What steps have you ever taken in order to get a better system of keeping

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and auditing the accounts, and to get for the commission a more complete control over the expenditure of its own funds?—I may make a prefatory remark, that my exertions have been rather of an unconnected character, inasmuch as I have for the last five years anticipated being replaced in Parliament, and I felt that I should obtain in the House all the documents and statements which I thought necessary for elucidating the expenditure of the commission. It was also my firm determination not to allow any grant to be made to the Record Commission, without the most strenuous opposition, if the system of keeping the accounts and submitting matters to the cognizance of the board was not entirely altered. I find that my representations on this subject were generally confined to the secretary. As early as the autumn of 1832, which was as soon as I had recovered from the severe illness which I have before mentioned, I requested the secretary to give me some insight into the affairs of the commission. I was referred to the estimates in the Agenda, the Parliamentary Estimate, and his Pamphlet on Sir Francis Palgrave's works: it was not till the spring of 1833 that I renewed my inquiries, when the result was, the first audit of our expenditure. I pressed upon the attention of Mr. Cooper the necessity of having in that year an analysis made of the expenditure, and having entirely failed in my representations, I recollect just at the last moment before leaving England for France, I put into Mr. Warburton's hands instructions for a Return in continuation of those made upon a Motion of mine. I am anxious to state this, because I understood from a friend of mine that I was severely condemned for this act: the real fact was, I was actuated more by the feelings of a man who had been lately in Parliament, and who expected to be there again, than by any *esprit de corps* of a commissioner, and I did not apprehend in having a Motion made for these Returns, there could be any thing painful in the slightest degree to any other commissioner. At the time I felt I was open to very severe attack for allowing myself to be upon a commission, and to be more ignorant and more in the dark upon the expenditure of public money committed to us, than I had allowed myself to be when a Member of Parliament about the expenditure of a commission to which I did not belong. Those Returns were so worded, that I would have defied the ingenuity of man to have made any thing but definite statements of the expenditure and work performed under the commission; but unfortunately Lord Althorp opposed the Motion, on a representation of its inutility by the late Speaker: foiled, therefore, in my attempts to obtain this information in Parliament, I brought this question under the notice of the board in November 1833, not, however, without a long previous correspondence with the secretary, in which I endeavoured by all means in my power, persuasion and remonstrance, to induce him to adopt my plan of analysing the expenditure: he informed me in Letters I now have in this room, that he did not so much dissent from my opinion himself as feel a reluctance to assent to my measures, in consequence of my views being decidedly opposed by almost all, if not by all, the commissioners, especially after the condemnation a proposal of mine had met with in the summer for publishing a synopsis of the work done under the board, which synopsis had been suppressed by Mr. Cooper, as will be seen by the notice of business of June 1833. I beg now to put in evidence the notices of the board of November 1833. I have already stated that those notices did not meet with the attention of the board, and that I waived pressing for the information upon the solemn promise made to me by Mr. Cooper before the commissioners, that all the information required should be produced in the forthcoming report, and I have already stated that in the February following Mr. Cooper stated to me that not one word of that report he promised was written. Having ascertained by the short discussion at the Board in November 1833, that I might inspect the accounts which Mr. Cooper had declined sending to me on the preceding year, I formed a specimen of the document I wished should be submitted to us annually, by digesting the accounts for the year 1833–4, and in 1835 that digest was submitted to the board as a specimen; but in the meantime I had several communications with Mr. Cooper, urging upon him the desirableness of having such an analysis formed, but they were all equally unsuccessful. In November 1835 I brought the question again under the notice of the board; but in consequence of the representations of the Chancellor of the Exchequer entirely coinciding with my views about keeping our accounts I waived moving for the production of those documents. The object of the committee, of which I was a member, proving to be the regulation of our future accounts, I thought proper to bring these notices again under the attention of the board of the

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the 27th January 1836, the last board that met; but a curious fatality seems to attend this Motion of mine; for the instruction to the committee that was then appointed to investigate the expenditure, was discovered by the Bishop of Llandaff and myself, when we met as the committee, to limit our inquiry solely to the discrepancies which I had detected in the Returns to Parliament in 1834, the discrepancies I had remarked between the Returns in question and the analysis formed by Treasury auditors, and that which I had made myself; therefore our committee had nothing to do but to investigate into the errors of the Return to Parliament, and thus, up to the present moment, we have no other analysis of the expenditure of our commission, either for one year or the whole period, except the necessarily imperfect document which I prepared under considerable disadvantages. Thus all my efforts have in fact been fruitless to obtain this most necessary document. Upon discovering the limited nature of the instructions to the Bishop of Llandaff and myself, I proposed to Mr. Cooper, and Mr. Cooper agreed to the proposal, that I should come to his rooms, and form an analysis of the expenditure with him and his clerk: for what reason Mr. Cooper did not hold to his offer, and avail himself of my acceptance of it, I cannot tell. I beg leave here to tender in evidence to the Committee a separate Report, and a note to be appended to the joint Report of the Bishop of Llandaff and myself, of the 3d of February of this year, which I have thought proper to prepare for the board, which I had expected would have been held as soon as possible after our committee had written a report. These papers are not every word exactly the same as those sent to the Bishop of Llandaff, being only rough draughts.

[*The Witness delivered in two Papers.*]

1426. Has any plan been adopted of late with regard to a better system of keeping and auditing the accounts?—The recommendations of the committee, of which the Chancellor of the Exchequer, Mr. William Brougham and myself were members, were sanctioned by the board at its last meeting, and I suppose that the accounts for the future will be kept in that way.

1427. At this moment are they kept in a mode similar to that which you have been recommending for so long a time?—I did not venture to recommend the whole of the system that has been now sanctioned by the board, but certainly all the documents I applied for will be now produced or prepared under that system.

1428. Mr. *Hawes*]. Is the system so far altered as that in future no payments can be made without the cognizance of the board?—All large payments I conceive will be made with the cognizance of the board; but I am by no means certain that the commissioners will not think it proper to put into the hands of the secretary a certain sum to a considerable amount for small payments.

1429. But no considerable expenses will in future be incurred without the knowledge of the board?—Certainly, if those recommendations are adhered to.

1430. Will the future Parliamentary grants be carried to the account of the secretary at some private banker's?—No, the proposition is, that the money should be paid into the Bank of England.

1431. To be drawn out by the secretary, with the sanction of some of the commissioners?—With the sanction of three commissioners at the board, one of whom must be a quorum commissioner.

1432. The *Chairman*.] Do you feel confident that the proposed reform will be acted upon?—If pressed, I cannot say I do feel confident, because Mr. Cooper has throughout our correspondence, ever since I have been acquainted with him, shown such unwillingness to adopt the method suggested in this Report, and the commissioners themselves have not thought my views right, that I must, if pressed, say, that I cannot think there is security that it will be adopted. If it is imperative on the secretary, of course I suppose it will be adopted; but past experience makes me distrust the adoption of it very much.

1433. Does past experience teach you to consider that a mode of doing business, to which the secretary is very much averse, will long be persisted in by the board?—I think the board having sanctioned so solemnly the remonstrance and the change in the mode of keeping the accounts and performing the business, will be inclined to enforce an observance of that recommendation.

1434. Do you think, from what you have seen of the secretary's habits and mode of doing business, that he is really fitted for the work of keeping the accounts of the commission?—No man can be unfitted for keeping accounts such

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as ours, and he has the advantage of a clerk. I do not attend to any representations he may accidentally have made to me in the course of our correspondence, of his dislike to keeping accounts, because I do not conceive they refer to the question put to me; but he has exhibited a most extraordinary and unaccountable unwillingness to keep the accounts in the only way in which they ought to be kept.

1435. Sir *M. W. Ridley.*] You allude to the manner in which you have recommended them to be kept in the Report of the last committee?—Yes, and his unwillingness to produce the information that I conceive to be absolutely necessary to enable the commissioners to judge upon any one point of our business. These feelings are fully stated in the document I have put in, it being my solemn conviction, from the ignorance in which we are with regard to the remuneration of our editors, and the apportionment of our expenditure, that we cannot form a judgment upon any one branch of the duties submitted to us; such is my deliberate conviction.

1436. The *Chairman.*] You spoke just now of discrepancies between the accounts and the Returns made to Parliament; can you state any important item in which there is a discrepancy?—I repeat again, I have never inspected the Returns to Parliament with any great accuracy, considering them wholly useless, from their confused and jumbled character. One item, however, did attract my notice; the books were charged at 497*l.*, the sum total of the expenditure on books being, according to my calculation, very nearly double between the periods for which there appeared to be a return; and at the last board, Mr. Cooper having stated that those Returns ought to have been satisfactory to me, as exhibiting the nature of our expenditure, I was compelled to notice the discrepancies which I believed to exist in them; the consequence was, that a committee was appointed to examine into the accuracy of my doubts; that committee was the Bishop of Llandaff and myself, and the report of that committee, together with the papers which I have just put in, were to have been submitted to the first board that should be called.

1437. Have you received any satisfactory explanation of the discrepancies?—No, I think none.

1438. Was your attention directed to the amount included in the Returns to Parliament under different miscellaneous heads?—No, I cannot say it was.

1439. Are you aware how large a portion of the expenditure of 20,000*l.* in the first Return is under different miscellaneous heads?—I am aware of the amount in the Returns.

1440. Is it as much as 8,000*l.* out of 20,000*l.*?—I think there is an item of 6,008*l.*, and there are others of a miscellaneous character scattered over the Return.

1441. Are you aware of the amount of the expenditure given by Mr. Cooper in the Agenda?—I know there is such an account.

1442. Are you aware that that account differs in many important items from that given to Parliament?—Yes, I am; and appended to the Report of the committee of February 3, 1836, which I have before alluded to, is a comparison of the two documents with each other, which was drawn up by a friend of mine, to whom I am indebted for observing those discrepancies.

1443. Is that statement in the Agenda the only information the commission ever had of the nature of its expenditure?—The only one, excepting the production of the ledger and petty cash-book, and the bills before the auditors.

1444. What is the salary given to the secretary?—Five hundred pounds a year.

1445. Is that the whole amount of the emoluments he receives from the commission?—No, it is not the amount of all the payments that are made to him for expenses in one way and another.

1446. Is that the whole amount of what he gets from the commission, directly or indirectly?—Certainly not.

1447. Are you aware that an amanuensis and clerk to keep the accounts are kept for him?—Certainly; there is more than one amanuensis.

1448. Is there not a rent of 70*l.* a year paid for the house in Boswell-court?—Yes, there is a rent of 70*l.* a year allowed for the house in Boswell-court, under this impression, not so much that it is the secretary's house, as that it contains books; some of these were acquired by the older commission, and manuscripts and transcripts that have been made for the commission, and books subsequently purchased by Mr. Cooper, and because the business of the commission is conducted at his house.

1449. Nevertheless

1449. Nevertheless that house serves as Mr. Cooper's law chambers, does not it?—Yes.

1450. Are you aware there are a great many other charges for the establishment, for an amanuensis and clerk for the secretary, for repairs at the house in Boswell-court, for the wages of the housekeeper, for coals, lights, furniture, for coach-hire, cab-hire, truck-hire, boat-hire, postage, porterage and messengers?—Yes, I am aware there are charges of all that kind; there are charges for copying clerks, occasionally employed and regularly employed, clerks employed in writing letters, and a clerk employed in keeping the accounts, and for other clerks who are literary assistants, with whose employment I am not precisely acquainted; house-rent, coach-hire, especially specified to be for the secretary on the business of the general report; coach-hire, cab-hire, and postage charged together, for sundries of furniture required for the use of the clerks in that office, and some other offices. I am also aware of some very heavy bills for repairs in New Boswell-court, stated to me to be for fitting up rooms for the use of the record cleaners; there is also a porter and laundress.

1451. Out of those items do you not consider that many are for the personal expenses of Mr. Cooper?—Some are personal expenses of Mr. Cooper, I trust, in the discharge of the commission; whether this is a necessary expenditure or an advisable one, is a question that I think admits of much discussion; and I beg to remark, that it was one of my particular objects in wishing to have an analysis of the expenditure, that all these things should be brought under the notice of the commission, and be openly, fairly and candidly acknowledged, and if approved, formally admitted; or if judged inexpedient, curtailed.

1452. It is impossible to say at present what the expense of the secretary is?—It is not easy to state it.

1453. Is it your opinion that those charges, to such an amount as you know they do extend, are necessary for the services of the secretary?—I entertain great doubts whether they are.

1454. Do you think it possible for you, or any other commissioner, to say what is the amount of any particular branch of your expenditure?—Certainly not. I could form a pretty accurate opinion for one or two years, but I should be sorry to put in evidence such a statement, inasmuch as it is made upon very rough calculations.

1455. Do you think that the other commissioners are better informed than you are upon these subjects of finance?—I should conceive not so well informed. No one, I believe, has attempted any thing like an analysis or digest of the accounts but myself.

1456. Sir *M. W. Ridley.*] When you undertook to make an analysis of the accounts, for how many years did you find it necessary to refer back, was it for any number of years, or only the immediately preceding year at which you began to make the analysis?—I at first only wished to make the analysis for the year we had audited them, and I only made it in rather a rough way.

1457. Were the accounts you audited, the accounts for twelve months, or for a long period?—The accounts we audited the first audit were for a longer period than a year; the subsequent audit has been for a year.

1458. At the first audit you made of the accounts, you brought up the audit of the accounts to the period at which you held your audit, and since then you have had an annual audit?—We brought it up to the 12th of March, when we audited them, but the date of our audit was three months subsequent to that period.

1459. The *Chairman.*] Are you a member of the library committee?—I am.

1460. How is the publication of the books directed by the commission regulated?—It is regulated on the principle of the claims of libraries to such a donation of books, published at the public expense, and the facilities which they offer to individuals consulting them frequently, and the probable permanence of such institutions, and to institutions being superintended by a librarian constantly on the spot; those are all points that regulate our acquiescence to the application.

1461. The Right hon. *C. W. Williams Wynn.*] Do you not also look to ascertain the libraries to which the publications are given in the neighbourhood?—Yes.

1462. The *Chairman.*] Is the distribution of the books regulated by the committee or the secretary?—The distribution is generally directed by the committee; at the same time, not having any statement of the books that have been distributed, or any minutes before me, I have a doubt whether I can state, owing to a peculiar circumstance, whether such is invariably the case or not.

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1463. The Right hon. *C. W. Williams Wynn.*] Does your recollection lead you to recollect a discussion upon the application of libraries to the board, whether the publication should be given to them?—I remember such discussions at almost every board at which I have been present; I am not able to answer that question more particularly, inasmuch as I think that the works of the old and new commission were granted to the Bedford Level Commissioners without an order from our committee; but I beg to state that that is a question which may be cleared up satisfactorily by inquiry of the secretary; I suspect a little the want of an order in this case.

1464. The *Chairman.*] Are the advertisements that have recently appeared in the papers, calling on the librarians to claim the publications by the commission, published by order of the library committee?—They may be published by virtue of an order previously made; but I thought the requisitions therein made to the parties to whom grants of the books had been made to apply to the secretary was an injudicious order, and the other subjects were matters that I wished to bring under the attention of the library committee, if Mr. Cooper had summoned us. I should have thought it much more desirable to have settled at once what were the libraries to which the books ought to be distributed, and not to have waited for those applications being made, inasmuch as I know a great many libraries which I think entitled to have the works of the board, and which have had the works of the old board, and from which applications have not been made to the present commission. Some of these libraries have not made claim to the works of the board, and the omission of the application ought to have been overlooked, in my opinion.

1465. When was the last meeting of the committee?—The 27th of November 1835.

1466. Do you know how many applications have been made in answer to those advertisements?—I think about 30 or 40 letters, upon which we decided at our last meeting.

1467. That is a small proportion of the libraries that might have applied?—Very small.

1468. Do you not think that this shows that the publications of the commission do not excite a very great interest?—No, I do not, because I verily believe that a great number of those libraries would have made applications for the books, if the eyes of the parties had caught the advertisements; and even had they not made an application, I should have conceived that they were places where the works of the board would most appropriately be deposited.

1469. Are any minutes preserved of the business transacted in the library committee?—Not that I am aware of.

1470. What was done at the last meeting of the library committee?—I have said we decided upon the claim of certain libraries to a donation of the books.

1471. Are you ordered to report to the board?—I think not: of course at a certain period the board would, I suppose, become possessed of the information.

1472. Have you ever reported?—No.

1473. The Right hon. *C. W. Williams Wynn.*] Do you know when the library committee was appointed?—I think July or August last year; applications for the publications of books had always been previously decided at the board, and the committee was appointed some time last year.

Veneris, 11° *die Martii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Matthew White Ridley.
Mr. Hawes.	Sir Charles Lemon.
Dr. Bowring.	Mr. Charles Villiers.
Mr. Wyse.	Mr. Pusey.
Sir William Moseley.	The Right hon. C. W. Williams Wynn.

MR. CHARLES BULLER IN THE CHAIR.

Charles Purton Cooper, Esq. called in; and further Examined.

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1474. The *Chairman.*] HAVE you any paper to deliver in, or any explanation to give of your former evidence?—Yes, I have: on the second day of my examination, I was asked by a member of the Committee (Mr. Jervis), whether I did not write a letter to Mr. Vincent, the King's Remembrancer, stating that the board had Lord Grey's authority for taking possession of the Augmentation Office records. My reply was, that "I did not recollect; but that if I wrote such a letter, I had no doubt that I had kept a copy of it, and could produce it." It was then, I think, suggested, that the whole of my correspondence with Mr. Vincent respecting the custody of the Augmentation Office records, should be produced; and I have, therefore, had copies made of all the letters that passed between us. Upon a perusal of that correspondence, I find it stated in Mr. Vincent's letter of the 9th of April 1834, that in a note of mine I had mentioned, that what I had done arose out of an interview with Lord Grey, but that he, Mr. Vincent, was informed, by a letter from Lord Grey's secretary, that his Lordship had no recollection of having given me any authority to take possession of these records. Now, I never wrote any note to Mr. Vincent containing such a passage as is here quoted by him; but I believe that a private note was written by me to Mr. Adlington, in answer to some inquiry of his, in which I used some such expression, and which expression, I shall presently show, was not a very inaccurate one. It will be seen, however, that I never asserted, it was impossible that I could assert, that there was any authority given by Lord Grey to take possession of the records, as the course which the board took was adopted from the opinion, which was at that time entertained, that Parliament alone could confer the legal custody of them. In my reply to Mr. Vincent, which is dated the same 9th of April 1834, I state, "that on the death of Mr. Caley, it was proposed at the Treasury to appoint Sir Francis Palgrave keeper of the records at the Augmentation Office, as well as of those at the Chapter House; but that I had informed Lord Grey that I doubted the authority, and, besides, thought a union of the two offices would be inexpedient," and I added, "that the record commissioners would keep possession of the Augmentation Office records as a matter of course" (it will be recollected they were in such possession when Mr. Caley died) "until such time as a legal keeper could be appointed." It seems to me not unimportant, with reference to some of the topics of the present investigation, that the Committee should be apprised of all the circumstances connected with my interview with Lord Grey. Mr. Caley, at the time of his being appointed secretary to the old commission, was keeper of the records at the Augmentation Office, and upon the death of Sir George Rose, he was, in reward for his services, appointed to the place; it was then the sinecure place of keeper of the records at the Chapter House. These different appointments, before the recent Acts for shortening the time required in cases of claim of a *modus decimandi*, produced to him an income of about 2,000*l.* per annum. Now, although my duties as a barrister occupy a very large portion of my time, and ought, perhaps, to occupy a much larger, yet it would be a foolish affectation were I to allow the Committee to suppose that Mr. Caley ever bestowed on the business of the record board one-fourth of the time which has been bestowed by myself. But my object has not been increase of income, but an object of which, I trust, I need not be ashamed—an object with which one commissioner, at least, who is a member of this Committee, is not unacquainted, and which, whatever may be the

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result of this inquiry, something assures me will not be altogether unattained. As early as the summer of 1832, Mr. Caley was visibly suffering from infirmity and age, and it was suggested to me that, as a matter of course, I ought to become his successor at the Chapter House. But pleasing as this prospect might have been to others in the situation of secretary, it had no charms for me. Having, however, at that time some influence in quarters where influence is thought desirable, I was prevailed upon to ask for the place, in case it should become vacant, and the promise was made simultaneously with the request. Notwithstanding his important occupations, Mr. Ellice cannot, I am persuaded, altogether have forgotten what passed on the occasion. My avowed intention was, not to receive either salary or fees, but to hold the place as a trustee for the board and the public. Mr. Caley lived until the spring of 1834. In the meantime certain important discussions as to the emoluments of Sir Francis Palgrave had been brought to an amicable close. Sir Francis was to receive 1,000 *l.* per annum, a sum much smaller than he had received under the old board, but which some of the commissioners, notwithstanding they had acquiesced in the Minute fixing that amount of salary, still thought it desirable to reduce. The expected vacancy of the office of keeper of records at the Chapter House seemed to me to offer a very convenient opportunity of attaining what the commissioners alluded to had in view; and during Mr. Caley's last illness it was intimated to Sir Francis Palgrave, that, whatever influence the secretary might possess, would be exerted in his favour, provided he would consent to the appropriation of the Chapter House salary and fees in diminution of the 1,000*l.* per annum, which he received from the record board. This proposal was accepted, and in consequence, when it was known that Mr. Caley was not likely to live many days, I used every endeavour to turn to Sir Francis Palgrave's advantage the promise that had been made to me two years before, and, in confirmation of this, I cannot forbear citing a letter which I wrote to a Cabinet Minister, with whom I was upon terms of intimacy, in consequence of a report that the office of Keeper of the Chapter House records had been promised to another person. The letter is dated the 31st March 1834, and is in part as follows; "I am told, what I cannot indeed believe, that * * * [*the copy omits the name*] is to have the Chapter House. If this be the case, it is a breach of faith on the part of the Government towards myself, and a gross and foul job, and I trust will be inquired into in the House of Commons. Your Lordship knows me too well to imagine I shall hold my tongue. It will be a farce to attempt to reform the record system, and the only thing left to me will be to resign the secretaryship. If Mr. Ellice were in England, I am sure he would not permit such a scandalous appointment. At all events, I shall try and see * * * [*there is a blank in the copy in this place; also he was a member of the Government, although not a Cabinet Minister*], and let him know, that there are other persons whose support is not less necessary to ministers than that of a few * * * [*here again the copy is defective*] members, and the threatened nomination will do you all irreparable injury both with such friends and the public." Mr. Caley's death happened a few days after this letter was written, the answer to which, I should state, was by word of mouth, and went a good way towards dispelling my apprehensions. Upon this event, however, I thought it prudent to see Lord Grey, and explain to his Lordship the promise that I had obtained, and my motive in obtaining it, when his Lordship immediately entered into my views, mentioned all the applications that had been made to him (amongst the rest that which had excited in me so much wrath), and being convinced that the appointment of Sir Francis Palgrave would effect a saving to the public of 500*l.* a year, he finally requested me to desire that gentleman to call upon him. It was to what passed upon this interview with Lord Grey that I alluded in my note to Mr. Adlington, which Mr. Vincent appears to have seen. Lord Grey naturally thought it might be advantageous to the public if the two offices of keeper of the Chapter House and the Augmentation Records were united, when I explained that his Lordship had only the Chapter House patronage, that an omission in the Act for re-modelling the Exchequer rendered it doubtful in whom was vested the right of appointing a keeper to the Augmentation Office records, and that the record board would of course retain possession until a legal custos was named. It is quite absurd to represent that from any thing which passed at this interview I had ever supposed that I had acquired for the board any right to the custody of these records. Lord Grey knew nothing of the matter, and appeared merely to acquiesce in the propriety of the course I suggested, no doubt supposing

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supposing my statement of the facts not to be incorrect. The result was, that Sir Francis Palgrave was appointed to the Chapter House only, and the board remained in possession of the Augmentation Office until December last. After this somewhat tedious detail of circumstances, the Committee may perhaps be disposed to think that if in a private note to Mr. Adlington the words quoted by Mr. Vincent are to be found, they are not more incorrect than those which are commonly used by us when we do not expect them to be critically scanned. I now hand in the correspondence.—[*Delivering in a Paper.*]—There is still one short point in my first day's examination that I wish to correct. In the course of it I stated, with reference to the conditional agreement sometimes made by the secretary with the editors of works, I did not believe that so long a period as six months had ever elapsed before such conditional agreement was ratified by the board. Upon referring to papers and the minute books, I find that the accuracy of this statement is in one instance doubtful, and that is the very instance mentioned by me for the purpose of explaining the course adopted. It appears from papers in my possession, that the specimen of the Privy Council books edited by Sir Harris Nicolas was put in type as early as November or December 1832, and yet the order that Sir Harris Nicolas should be authorized to proceed with the printing of the work under the direction of the commissioners was not made till the 1st of June 1833. I have said only that the accuracy of my statement is doubtful; for although the specimen was, as is very common, put into type in November or December 1832, I am unable to state what was the date of my conditional agreement with Sir Harris Nicolas; it was very likely some months afterwards. But whatever might be the date of such agreement, it must be evident to the Committee, that that agreement was merely conditional, and subject to the approbation of the board, when I read the two following letters: the first is a letter addressed by me to Sir Harris Nicolas, dated June 3d, 1833, in which I say, "I have much pleasure in informing you, that the subject of the acts of the Privy Council was brought by me before His Majesty's Commissioners on Public Records, at the board held at The Speaker's on Saturday, when I stated I had already ventured to instruct the King's printer to put into type a specimen of the earliest of those documents; and the Commissioners were pleased to confirm what I had done, and to order that you should be authorized to proceed in the printing of the work: you will regard this letter as an official communication." The other is a letter written to me by Mr. Macdonald, of the King's printing office, dated the 3d of the present month, in which he says, "When I answered your question the other day, respecting the commencement of the printing of the Privy Council proceedings, I said that the first specimens were put into type about the close of the year 1832, but that very little progress was made in the work before Midsummer 1833. As this answer was given on the instant, I have thought since it would be well to endeavour to fix the date more precisely, and I think I may now say with confidence that the first of the four sheets of specimens were sent to Sir Harris Nicolas the middle of November 1832, and the fourth sheet near the middle of December; this specimen was not adopted; but on the 24th of March 1833, another specimen of the first sheet, newly printed, was sent to Sir Harris Nicolas, which was in the form at present used. A few more sheets were then put into type; but from the understanding I had with you in several conversations, that the work was not at that time to be urged on, our progress was very slow. In fact, we were now, in the month of April, only feeling our way. Sir Harris Nicolas had the various articles sent to him in slips, in order the better to fix their chronological order. I had mentioned this to you on one occasion, when you expressed your fears about the expense of the correction, and you again told me you had reason for not urging the work on: that reason I understood to be, that the formal order of the board had not been obtained."

Edward Protheroe, jun. Esq. called in; and further Examined.

E. Protheroe, jun. Esq.

1475. The *Chairman.*] HAVE you any explanation to make of the evidence you gave the last time you were examined?—On referring to Mr. Cooper's correspondence, and after a little further consideration, I find I ought to make two or three additions that may possibly be interesting in reply to questions put to me with reference to my exertions to obtain an analysis of the accounts. I find upon the 17th of May 1833, Mr. Cooper replied to an application of mine for the ledger and petty cash-book,

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that I could not have them at that time, as his clerk was engaged upon them. It appears that at the time I wished for them at my own house, that I might form the analysis with less interruption than at the secretary's office. In November 1833, I learnt, for the first time, that, as a commissioner, I was fully entitled to examine the accounts of the commissioners, and I subsequently, in 1834, applied for the ledger and petty cash-book, and formed a rough analysis, of which I have spoken before; but on the 10th of May 1835, Mr. Cooper refused to allow me the same permission of having them at my house which he had granted in the preceding year. The Chairman put a question to me on my former examination to this effect, whether, if the secretary chose to go off to America with our money, there was any thing to prevent it? I replied, I did not believe we had secured ourselves from that possibility. I am bound to give, in my defence, a passage from a letter of Mr. Cooper's, which shows that I was far from being insensible to the position in which our money might be, if we had a secretary in whom we could not place that reliance we did upon Mr. Cooper. Allow me to add, that I had made no such allusions as might be supposed from Mr. Cooper's reply, or the Chairman's question, but that I have constantly said that, as trustees of the public money, we ought to insure ourselves against evil while we had no secretary in whom we could place confidence, and not to defer such arrangement till the appointment of another secretary, whom we might offend by the establishment of rules not adopted with regard to his predecessor. The passage in Mr. Cooper's letter to which I think it proper to refer, in consequence of the question of the Chairman, is this: "May the 6th, 1834;—I have not the slightest intention of moving the board to take my accounts this year, so that if you have any fears of my being off to America, you had better come and look at the books, which I believe are entered up to a recent date." This passage confirms the impression that I communicated to the Committee upon a former occasion, that there was no intention either on the part of the commissioners or the secretary to have a regular audit of the accounts every year. I think proper to bring this also under the notice of the Committee: that in the same letter that contains the preceding passage, Mr. Cooper informed me, that the Treasury disputed the authority of the commissioners to audit the accounts. It happened that, simultaneously, Mr. Vernon Smith requested me to come to the Treasury, to give him some opinion upon matters relative to the commission. It appeared, from what Mr. Vernon Smith said, that Mr. Cooper was not well pleased that the accounts should be re-audited by the Treasury auditors: I took the occasion, therefore, of inquiring of Mr. Vernon Smith whether the Lords of the Treasury did in fact dispute our authority to audit our own accounts; and I learned that they were very far from disputing our authority, but that they of course felt that our audit did not discharge them from the duty of submitting the accounts of the commission to the public auditors of the Kingdom. I was required to state at my last examination at what period of the year we audited the accounts. I have not yet seen either the ledger or the petty cash-book, so as to be able to state, from the authority of my own signature, the exact dates; but I believe that I can make out, from correspondence which occurred at the time, and some rough notes I have at home, that our first audit was at the end of June, the second in July, and the last in the month of August; this late period being, I think, extremely inconvenient and inexpedient.

1476. You state in the fourth and fifth pages of your letter to the secretary, that it is your opinion that the commission have shown too great a desire to publish, in preference to the other business intrusted to them; that those publications had been subject to the gravest charges of imperfection and flagrant extravagance in jobbing; are you still of opinion that such a description is merited by the conduct of the commission?—Those remarks refer to the works of the old commission, and I have not had reason to alter my views with respect to them. Indisputably there are some works, such as the Statutes of the Realm, that reflect very great credit upon the editors; but the mass of errors in the other documents is so great, that I have always sincerely regretted that the donations of copies of the record publications to foreign libraries as well as libraries in this country, were not accompanied with a candid confession that they were not to be received as accurate documents, and also with a specification of the nature, and, if possible, some statement of the extent of the errors. This answer refers entirely to the works of the old commission.

1477. Do you think that the new commission has remedied those faults?—I have already stated that I think it would have been but prudent had we continued

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tinued in the course we commenced, of suspending almost all publications until we had advanced much further in the arrangement of the records. I have not made any critical examination into the works and publications of the present commission, and therefore I cannot state with any satisfaction whether they are or are not faithful editions of the original records. I have already stated that since the publication of one work, the Valor Ecclesiasticus, a lost portion of the Valor has been discovered, and I believe several records during Mr. Cole's examination have been discovered in the Exchequer, which would have appeared, had they been known, in Sir Francis Palgrave's work, the Parliamentary Writs.

1478. You state, in pages 15 and 16, you think it desirable that a more frequent and settled intercourse should take place between the board and the sub-commissioners; do you still think it would be useful, and has that improvement been made by the present board?—I still adhere to that opinion, and it is strengthened by the experience I have had in the affairs of the commission, and especially by subsequent events. In a commission so constituted as ours, I should not expect there could be any daily, or even monthly, communication between the sub-commissioners and the chief commissioners; but at the same time I should wish that no engagements were made with editors, who ought, in my opinion, to be always sub-commissioners, without the board becoming personally acquainted with them.

1479 Do you think, from the want of this communication with them, that the board has not that effectual knowledge of their proceedings, and control over them, and that knowledge of the sub-commissioners themselves, and their competence, and their diligence, that they ought to have?—I think that is one of the consequences of the separation that exists between the sub-commissioners and the chief commissioners; but one object I should have in view in establishing more communication between the parties is, that the commissioners should exercise some kind of encouragement, and exhibit an interest in the works prosecuted by the gentlemen engaged under the board. I am quite confident that a personal acquaintance between the two parties would secure the sub-commissioners, or those editors who are now considered clerks, from the unfortunate effects which I think I have witnessed from their dependence upon the sole will of the secretary.

1480. In page 22 you state that every proposal for a new work should be accompanied with an estimate of the probable cost; has that been adopted in consequence of your suggestion?—No such calculations have ever been made that I am aware of. On the very first occasion of my first attendance at the board, a question occurred as to the appointment of Mr. Devon, the editor of the Chancellor's Roll, and I put a question relative to the abilities of that gentleman, the extent of the work, the cost, and his remuneration, to which I received no reply. I confess I was extremely dissatisfied with such a course of doing business, and I have never heard since that time up to the present moment any calculations, or seen any estimate of any proposed work; and, for want of proper documents and the analysis of the expenditure, I am utterly unable to form a judgment upon the economy or extravagance in any one work, pamphlet, book, or any thing else published under the orders of the board.

1481. So that, in fact, the publications are undertaken without estimates of their expense?—Certainly with very imperfect and rough calculations; but I think, generally speaking, with scarcely any estimate whatever being submitted to the board.

1482. You state in page 24 the expediency of putting the records in one general depository; are you still of that opinion?—I do not know that I should insist particularly about one depository; but as a depository must be erected for a very large proportion of the records, I conclude that the reasons would prevail in favour of depositing them all in one building.

1483. Do you not think if a building was erected for part of the records, it would be very improper not to make it so large as to contain the whole?—I am decidedly of that opinion; but there are many gentlemen equally anxious for the preservation of the records, and equally able to form an opinion upon the subject, who, from some fancied danger, think that the records would be safer in two depositories than in one. I am not of that opinion, and I look at the establishment of a general depository of records not only as a measure of security, but of economy, as regards the salaries of the record keepers.

1484. You say you think it probable that the utility of most of the volumes

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which the commission has published, or is likely to produce, would, under such an arrangement, be superseded by the superior advantage of consulting the original, and that entire documents of all matters of a national or local interest would be extracted by the gratuitous labours of individuals, who would present them to the public in the more interesting form of history or topography?—I cannot say that I entirely adhere to that opinion, because I believe that there exists a very large class of records exceedingly interesting, in an historical, literary and constitutional view, which it is desirable to publish at the public expense.

1485. You also state, "that grants of public money might then be only of occasional occurrence, and be strictly confined to the production of some great works of acknowledged public utility, demanding for their compilation larger funds than those an individual could afford, or appropriated for cases where the return for labour bestowed on the work might be dubious or long deferred?"—To that very important qualification of the opinion before expressed, I wish to add the conviction of my mind, obtained from subsequent experience, that it is desirable that a commission like ours should, as soon as it has arranged the records, and perhaps to some extent, whilst the work of arrangement is going on, present to the public the raw material for history; because I am thoroughly persuaded, that although the antiquary may discover certain points that are useful to him, or the genealogical inquirer obtain all the information he requires upon a particular fact, the historian, who requires a mass of facts, and whose views are extended over a long period of history, cannot obtain by the consultation of original records the information necessary for the compilation or illustration of his history. A man may be eminently qualified even to be the editor of records, and to point out the uses of records, and to apply them to history or topography, and yet not be competent to read records.

1486. But even in that case, would not the purpose be answered by transcripts as well as by printing?—I think not; because, in the first place, manuscript is not so well read as printing; the hand-writings of transcribers differ very much; records are, even when printed, difficult to read, and the different contractions are not easily distinguished from each other; the transcript must remain deposited in one fixed place, as it would be almost equal in value with the original record; it cannot be circulated amongst those persons who would make use of it; it will be deposited only at the original record deposit, or in the British Museum, places which are or will be open only at certain hours. Again, the work of the historian is, I conceive, to weigh conflicting statements, and that requires a great deal of thought and consideration in his own private chamber; the advantage, therefore, of having printed copies of the records, which the historian may use at home, appears to me to be very great.

1487. Do you think that the mere trouble of reading a transcript, even if not very well written, would not be undertaken by learned men in the prosecution of their inquiries?—I do not so much refer to the trouble; but it is the impossibility of their making use of a written transcript as of a printed document.

1488. Considering the kind of information that those documents contain, is constant reference to them so necessary as to justify the expense of printing a large number of volumes?—I should say that it was so; but of course when we come to the matter of expense (and this certainly is a question that is intimately connected with economy and the consideration of expenditure, and with the return for that expenditure), I should require perhaps a little more consideration to answer the question very definitely; but I still adhere very strongly to my opinion on the advisableness of the publication of the most ancient records and those of the greatest historical interest.

1489. No one would perhaps object to the publication of Doomsday Book, because that is a work of very great interest and frequent consultation to the antiquarian; but are not the great mass of those records, even those that contain, scattered here and there, most valuable information, works of which the greater portion is not interesting to any one, and which require to be rarely consulted, and only occasionally consulted by the antiquarian; would it not, therefore, be quite possible for him to go to the Museum or other place where they might be deposited, and consult them; would the time and trouble of such consultation, and the not having them at hand, materially impede works of great value?—In such works as extracts from the Inquisitiones post mortem, I should think that a transcript, deposited in the British Museum, might be sufficient; but I do not think that transcripts alone of the Patent Rolls, the Close Rolls, and the Rolls of the Curia Regis and others, would be satisfactory; however, on this subject I do not pronounce

nounce any judgment which I pretend to consider unalterable, inasmuch as I should be directed, in the formation of an opinion on this point, by the evidence which may be given by the gentlemen who have been engaged in topographical and historical inquiries, such gentlemen as Dr. Lingard, Mr. Hallam, and Mr. Hunter, to whose judgment I should be disposed to defer in this matter. I have stated to the Committee the impression of an individual commissioner, and one whose experience does not lead him to be personally acquainted with the use to be made of those historical documents.

1490. But until greater facilities have been afforded to give the public full and easy access to those records, is it possible for the commission to decide on what literary men might have made public on their own speculation, the profit of publishing, and the curious information contained in those records?—That, in some degree, has been my own opinion; I doubt, however, whether individuals would have been found to attempt the publication of such a series of rolls as the Patent and Curia Regis and Close Rolls.

1491. Do you not think, if literary men had had that easy and full access of which I speak, that they would have been induced to publish a good deal of curious information contained in those records, and that it would have been published by this time?—My answering that question would depend upon the time specified in the question.

1492. Suppose since 1800, the first appointment of the commission?—I have not the slightest doubt, had the records of the Kingdom been arranged (that they might have been arranged, with the money granted by Parliament since 1800, there is no doubt), that even in a short period after 1800, our County Histories, and especially the Histories of England, would have been infinitely more satisfactory, and nearer being complete than they are at the present moment; but from the little I know of the sale for valuable, but heavy historical information, I do very seriously doubt whether any individual would have been tempted to risk such publications, for I know that the remuneration of county historians renders it quite astonishing that any gentlemen are disposed to publish such works.

1493. Do you not think that the policy of publication could hardly be fairly tried, until by previous arrangement opportunities had been afforded for private enterprise?—I am of that opinion, and I beg leave to add, that, as respects short records, of which there are either no series, or only short series, some records, for instance, in the Augmentation Office, I have thought it would be very probable that the commission could obtain editors, without the appropriation of any money of the commission, to the publication of such small portions of the records, and I suggested some years ago to Mr. Cooper the advisableness of making known the contents of those offices as speedily as possible, in order that individuals might have an opportunity of publishing what they might think interesting to the public, and saleable. But these suggestions could not have been adopted till the perfect calendars of the records in this office had been either finished in manuscript or published.

1494. You state at page 26, you have been desirous that the board should manifest some solicitude about the testamentary records, and other ecclesiastical records of the Kingdom; was any thing done in consequence of that suggestion of yours?—Nothing was done.

1495. Do you think that the board have neglected this class of records?—Considering the immense extent of the records in London that claim the attention of the commission, I should not be justified in saying they have positively neglected them; but I regret exceedingly that the attention of the Archbishop of Canterbury and the Bishop of Llandaff, the prelates upon the commission, has not been directed to this subject, so as to claim a portion of our attention and our funds for the arrangement and preservation of those records. I am very anxious to call the attention of this Committee to the state of those records at the present moment. Bills are now introduced into Parliament for the extinction of those extraordinary and useless courts, which up to the present moment are empowered to grant probate of wills. Being very much acquainted with the contents of those records, and their present places of deposit, I am thoroughly convinced, unless the attention of this Committee, and, through it, the attention of Parliament, is directed to the preservation of those records, a very large mass of them will be lost. Even during the time that the deputy registrars have derived a profit from the custody of those records, they have been most scandalously neglected. Now, if the deputy registrars cease to have any interest in them, they will in many cases, I am persuaded,

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suaded, never reach the new repositories, and never be surrendered up. If there are not very careful and proper persons appointed to receive them, they will be lost in their transit, and when brought to the metropolis, or any place of provincial deposit, the mass will be found to be so large and so undigested, as to defy all ordinary diligence in their arrangement. Thus, the public will be shut out from the use of those records for a very considerable time, even if large masses of them be not previously lost.

1496. Sir *M. W. Ridley.*] You are alluding now to the records in the possession and under the custody of local ecclesiastical courts?—Yes; and those records are not, as might be supposed, in places of proper deposit attached to cathedrals, but in several cases (and in London as much as elsewhere) in the rooms and chests of notaries, and in private houses, scattered all over the Kingdom, in great confusion.

1497. Do you consider those records of which you are now speaking as being public property deposited by some accidental circumstances in the hands of the individuals alluded to for the purpose of business, that have not been returned, as they ought to have been, to the proper places of deposit, or are they documents belonging to private individuals which have come to their hands under ordinary circumstances?—They are in no cases the property of private individuals; but it has happened, from various circumstances, which it would be tedious to detail, that wills, which are clearly the property of the public, as much as those in the Prerogative Court of Canterbury, are in the hands of private individuals. There are wills in abundance in the private muniment rooms of the lords of manors; there are also wills that have been kept accidentally in the possession of officers of registries and small courts, that have not been surrendered up; but I alluded as much to the records legally in the custody of individuals holding offices in the courts which it is proposed to abolish.

1498. Mr. *Charles Villiers.*] You allude to wills of which probate has been granted by the different courts?—Yes.

1499. Sir *M. W. Ridley.*] Is there any power at present existing in any body of any sort to compel the surrendering up of those different deeds to any proper place of deposit?—Certainly there is no power at present existing, because the Legislature has not passed any Bill for the destruction of those courts; and although in a great number of cases wills are not proved in them, and have not been proved for 30, 50, or, in some cases, 100 years, yet the wills are in the possession of the proper parties, though the courts have not been called upon to exercise their jurisdiction for a long time. The event I contemplate is the passing of the Bills now before Parliament, which will provide for the establishment of new courts and a new system, after the entire abolition of all those minor courts; and it is in connexion with that Bill that I hope that some provision will be made for the due preservation of the records to be surrendered in consequence of alteration of the jurisdiction in testamentary matters.

1500. Ought there not, then, to be a provision in that Bill to compel the surrendering up of all documents that come within the description of public documents, which otherwise might be withheld by individuals, under the pretence of being only private documents?—I have not seen the Bill; but I do not doubt that there is such a provision; and in a conversation I had with Dr. Lushington, he proposed that those documents should be surrendered upon oath; but I beg leave to repeat the observation I made to him, that the oath would be no security whatever, in my opinion, for the surrender of all the documents. I do not mean to charge the parties with any intention of perjury, or with any inattention to an oath, but in many cases they do not know the contents of their offices; and it happened to me at the time I moved for Returns from these jurisdictions, to be obliged, in several instances, to examine and even to arrange the records myself, in order to ascertain the contents of the solicitors' or registrars' offices; and I really believe that there are only two or three individuals in the Kingdom, including myself, who are accurately acquainted with these records. The registrars, allowing them to have the best disposition to surrender them, may in many cases, without corrected copies of the Returns to Parliament, be unable to ascertain what are or are not the records of the court. I will give one instance, and a very important one, as it relates to an Episcopal Court. I found in the Registry of Winchester nearly thirty volumes of copies of wills, which had not been noticed in the Returns to Parliament, and of the existence of which the deputy registrar was not aware at the time he made the

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the Return, nor do I think he was aware of it when I examined the contents of the court.

1501. Mr. *Charles Villiers.*] Should you consider the copy of a will a record?—Yes, the copies I allude to are copies made officially; and I consider them to be public records; indisputably they are not the private property of the registrars; they have descended, together with the wills and other documents of the court, from the hands of one registrar to another.

1502. You allude to the difficulty the registrar might have in distinguishing what are or are not records; what other documents could there be in his possession which are not records, as a public officer?—The Bill I have alluded to is one for the alteration of the testamentary jurisdiction of those courts; there will remain in the offices of those gentlemen a large mass of documents relative to the acts of the Bishop and the other business of Ecclesiastical Courts, which would not be surrendered up to the registrars of a court having testamentary jurisdiction only; and in some cases, in the confusion of these records, some original wills, as well as recorded copies, might be left in the office, and never find their way to the central repository. I am sure that will be the case in many instances.

1503. The *Chairman.*] You state in page 28 that you think the making high officers of State who have other occupations, particularly the Lord Chancellor and Speaker of the House of Commons, quorum commissioners, is a very unwise arrangement, and a great impediment to business; has not that opinion been strengthened by your subsequent experience of the proceedings of the commission?—Decidedly so; I think our meetings have been fixed for a very inconveniently late hour on occasions when there was quite business enough to have occupied us from 12 till the close of day.

1504. Do you not think that the important duties with which those high officers are intrusted naturally renders the business of the commission too subordinate a matter in their consideration?—Yes; but I did anticipate, and it certainly still appears to me possible, that the appointment of those great officers upon the commission may be productive of beneficial effects. We have had an instance of the great benefit that has been derived from the Chancellor of the Exchequer being upon our commission. I am thoroughly persuaded that had it not been for Mr. Rice, no change would have been made in our mode of keeping our accounts similar to that now proposed.

1505. Nevertheless Mr. Rice was not the first Chancellor of the Exchequer that was on the commission?—Certainly not.

1506. Then, in spite of your having a Chancellor of the Exchequer on the commission from the date of its appointment to the period when Mr. Rice chose to bestir himself upon the subject of the accounts, the presence of this high financial officer had had no effect in securing a proper keeping of the accounts?—Certainly not.

1507. This is the merit, then, of Mr. Rice, and not the Chancellor of the Exchequer?—It attaches indisputably to Mr. Rice as an individual.

1508. Sir *M. W. Ridley.*] In the execution of such important duties would it not be much more advantageous, in furtherance of the object of the commission, to have persons who had more time and more leisure to devote to the important subjects to be brought under the consideration of the commission?—Indisputably it would; and I will state one prejudicial effect of putting these high officers upon the commission. It makes individual members of less rank, or who have no official rank, reluctant to bestir themselves in the affairs of the commission, and ready to defer, from motives of delicacy and respect to the judgment of those great official persons, although they may be easily supposed to be less acquainted with the details of this particular business.

1509. Is it not probable and more likely that the very important duties of such a commission, requiring so much time and attention, would be better executed by a judicious selection of able well-informed persons who should receive an annual salary, than by unpaid commissioners, however high their rank in society or official duties may be?—I do not feel competent to answer that question very decidedly; I had always hoped that our commission might have been made to work advantageously, and all my efforts have been directed by and proceeded from a persuasion that it might be made to work under its present constitution in a thoroughly efficient manner.

1510. The *Chairman.*] Is that hope as strong as when you first commenced those efforts?—That hope is entirely destroyed.

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1511. Then, in fact, you never expect the commission, constituted as it is at present, to be efficient?—I confess I do not think it can be.

1512. Do you think that the plan that the honourable Member has proposed would be more efficient?—I believe it would be so; I have expressed the opinion which I still entertain in the Pamphlet that is before the honourable Chairman, that if the commissioners had been impressed with the conviction that they were to report annually to Parliament, and that the commission was not to last for ever, the commission, as now constituted, would be much more efficient: perhaps as an individual unpaid commissioner of the present board, I might cling to the hope that such a change in the system might yet be productive of that good which I have not hitherto seen effected.

1513. Mr. *Charles Villiers.*] You consider there is more responsibility attaching to salaried commissioners than to one who acts gratuitously, do you not?—That may be the effect of receiving payment; I cannot say that it is my own individual feeling.

1514. Sir *M. W. Ridley.*] Supposing a commission was to be instituted, consisting of certain official persons of high character and high dignity, and two commissioners who were salaried, upon whom the immediate responsibility should rest, subject to the opinion and decision of the other commissioners; what do you consider would be the effect of the working of such a commission?—Much would depend upon the degree of control which the higher class of commissioners would have over the acts of the paid commissioners. I can imagine such a constitution to have all the evils of the present commission, and at the same time to be also deprived of certain advantages which attach to the character of the present unpaid commissioners.

1515. The *Chairman.*] Do you not think it better, if you have any paid commissioners, that they should be the sole responsible persons, and the sole persons having authority?—Yes, I should say so; at the same time I am not aware whether there would be any objection to the placing the Officers of State or Judges on the commission; but I cannot speak with confidence, not being acquainted with the constitution and formation of other commissions; of this, however, I am quite certain, that, constitute the commission as you will, unless responsibility is secured by requiring annual Reports to be made to Parliament, and a conviction exists in the minds of the commissioners that they have a finite duty to perform, there is no chance of any commission working well.

1516. Is there any thing peculiar in the business of this commission which requires the presence and assistance of those high Officers of State?—None whatever, unless as heads of the courts of law, and as Chancellor of the Exchequer, they may be supposed to have a final and superior control over the records of the offices, and therefore be enabled, by their weight and authority, to carry into execution any changes that may be proposed by the commissioners.

1517. Do you not think it would be a much better plan to attain this end by giving the commission itself effectual control over the offices?—Indeed I think so; the present commission is not invested, I think, with sufficient power. I have often remarked, when I have heard of the obstacles and impediments thrown in our way (the nature of which I beg to say, parenthetically, I have never been able correctly to ascertain), that it would be desirable, if those obstacles and impediments were really insurmountable by the authority of the present commission, that we should report to The King in Council, stating the inefficiency of our powers, and obtain from Parliament an authority that would be sufficient to carry the objects of the commission into execution.

1518. Do you not think that the commission ought to have done this at a very much earlier period with regard to the abuses and fees?—The commission have never entertained, to my knowledge, any consideration of the subject of fees; it was brought before the board in November 1833, upon the first notice of mine for that board.

1519. We have been informed, that ever since the date of its formation this commission has been endeavouring with great labour to obtain from all the record officers a full and accurate statement of their fees and other regulations, that it has been their intention to report upon this subject to His Majesty, and that even now they have not been able to complete this undertaking.

1520. Do you not suppose if the commission had bestirred itself more actively in the matter, it might have effected this desirable end before?—I certainly think so; I may possibly underrate the difficulty of the task; but it appears to me if such

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such communications as those alluded to have been made, with which I am wholly unacquainted, that that mass of information collected will rather obstruct than facilitate inquiry and reform. I am persuaded, however, that no perfect reform can be effected with regard to the regulation of fees, and the salaries of the record office keepers, until a general repository is established; but there is no necessity whatever for our deferring these reforms till that building is erected.

1521. Do you not think that long before this, the commission ought to have stated to His Majesty the inefficiency of its powers, and applied for fresh powers in order to discharge its duties?—If it is supposed that it had not powers; but I conceive the commission was invested with sufficient power to inquire into those grievances, and might have reported to The King in Council, making suggestions for an alteration in the system.

1522. Ought it not to have done that before this time?—That has been my opinion, undoubtedly.

1523. In your Pamphlet you state that Mr. Caley was appointed inspector of the record offices at a salary of 500 *l.* a year?—Yes.

1524. You state that you positively deny that his present services were such as to require any such salary, and that it is vain to mince words; this 500*l.* a year is a pension under another and very deceitful name; then you state you are constrained to say that Mr. Caley's past services did not constitute a claim for a pension when he is otherwise provided with public money; do you still think that that opinion was correct?—I do decidedly still think it was quite correct.

1525. Then you think that Mr. Caley ought not to have had this pension?—In the first place, I do not think that our commission was entitled to grant any thing in the character of a pension. We were only authorized to grant money for services to be performed; and at the time that pension was granted to Mr. Caley, he was keeper of the Chapter House and keeper of the Augmentation Office. As keeper of the Chapter House, he had 400 *l.* a-year; as keeper of the Augmentation Office, he was in the enjoyment of no salary, but received the fees. There was thus less excuse for granting him a pension, or making a sinecure for him.

1526. Which fees, you say, on the lowest average, amounted to 157*l.* a year?—I believe that statement was taken from some Parliamentary Returns.

1527. Then it is your opinion that this appointment of Mr. Caley as keeper of the record offices was something of a job?—I think I have called it a job; and I thought it proper to direct the attention of some persons connected with Government to the matter, and I enclosed my letter, which the honourable Chairman is quoting, with those passages marked, to a member of Government.

1528. What was done in consequence of those suggestions, and that remark in your Pamphlet which was laid before the board?—I am not aware whether the letter was submitted to the board or not; of course it was communicated to the commissioners. Nothing was done. A discussion took place, I remember, about a year and a half after the publication of that Pamphlet, when I expressed the same sentiments, but they were not entertained, or, at least, were not supported by other members of the commission.

1529. So that Mr. Caley kept that 500 *l.* a year, and his nominal appointment, to the day of his death?—Yes; and after his death the arrears of a half year or a whole year were paid to his executrix, Miss Caley.

1530. Is the correspondence conducted in the name of the board submitted to the board before it is sent out?—I should suppose there was a vast mass of correspondence from Mr. Cooper's private representations to me which was never submitted to the board; but I had conceived that all correspondence of a directly official character was submitted to our board, and that which was not presented to us I conceived to be rather of a private character, and the literary inquiries of Mr. Cooper, with the general view of furthering the objects of the commission.

1531. Has any thing occurred to make you alter this belief?—Yes. When I went to the Treasury (I forget exactly the year), to investigate the accounts of the commission that had been sent in, and to form an analysis of our expenditure, I learnt from Mr. Spearman, that a pretty sharp correspondence had taken place between Mr. Spearman and Mr. Cooper, which correspondence was addressed to the Commissioners of Public Records, and had relation to the mode of our keeping our accounts. That correspondence had not been submitted to the board, nor to us who were auditors, nor have I ever seen it up to the present day. There was also a correspondence between Mr. Vincent, the King's Remembrancer, and Mr. Cooper, with which I became acquainted, not through any communication

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of Mr. Cooper's, made either privately to me or to the board; but having been requested by Mr. Cooper to go to the Pipe Office, and speak to the clerks there, relative to the disputes that had occurred about payment for the transcripts of records, I thought it more decorous in a commissioner to communicate at once with the head of the department, and I requested an interview with Mr. Vincent. Mr. Vincent gave me much information, with which I was not previously in possession, both with regard to that transaction, and the record commission becoming possessed of the Augmentation Office. Mr. Vincent submitted to me a long correspondence between himself and Mr. Cooper, of which I had never seen any thing before.

1532. In the late Agenda there appears a notice of yours relative to this correspondence with Mr. Vincent; what was your object in giving that notice?—In the first place, I thought that the whole subject of the correspondence and matter at issue between Mr. Vincent and the board had never been properly understood by the commissioners, and I entertained a very great doubt whether we were not committing an act of blameable usurpation in taking possession of the Augmentation Office. Certain passages also in the letter addressed by Mr. Cooper to Mr. Vincent I confess did not please me, as proceeding from a person whom I conceived to be the organ of a board to which I belonged.

1533. What passages do you allude to?—I could hardly point them out at the present moment; if I looked over the correspondence, I could mark them.

1534. What was the tenor of them?—They appeared to me to be uncourteous, and written in a tone unsuited to the occasion. But neither the notice on the Agenda for December the 18th, nor for January the 27th, 1835, was the first occasion I had of calling the attention of the board to the correspondence. I stated at a very early period, when Mr. Cooper gave some information of these differences between himself and Mr. Vincent, that I thought the board ought to hear Mr. Vincent's representations, and to examine him.

1535. Did the board take any notice of this?—This recommendation of mine did not attract notice.

1536. Have the board allowed this dispute between Mr. Vincent and Mr. Cooper to go on without paying any attention to it?—I will not say that the board did not pay attention to it since they heard the statement of Mr. Cooper respecting it, and it is very possible that Mr. Cooper communicated his representation of the affair to other commissioners privately, as he had done to me.

1537. Did he ever lay the correspondence before the board?—I should say he never did lay the correspondence before the board; but it is possible that Mr. Cooper, at the time the discussion first took place, may have brought with him certain portions of the correspondence. It is also possible, at a subsequent period, that Mr. Cooper may have produced the correspondence among the reports, because I remember one or two instances in which, after specifying some particular reports that were to be produced, *et cæteras* marked the rest, and I cannot affirm that this correspondence might not upon one or other of those occasions have been produced; but as far as relates to the discussion of the correspondence, or the board being acquainted with it, I conceive it was carried on without the knowledge of the board, and is at the present moment wholly unknown to the commissioners.

1538. Do you know whether all the secretary's letters pass through the hands of his own clerk?—All the letters of the secretary which I have seen, whether addressed to commissioners, sub-commissioners, or any other person on the business of the commission, are in the same hand-writing, that of a clerk named Bennett. He has even written Mr. Cooper's replies to letters of mine, containing observations on the conduct of our affairs.

1539. Have you ever been able to discover upon what principle works are selected for publication by the commission?—Perhaps, to speak with minute accuracy, no selection has been made by the board of one proposal out of many, but almost I think invariably all the proposals for publication have been made by the secretary, either originating in his own mind, or made at the suggestion of individuals who have made recommendations to him.

1540. Then the choice of the works for publication does not originate with the board?—It has so happened, that all, or almost all, the works have been proposed by the secretary, and certainly that has been carried to such an extent, that some sub-commissioners have thought it consistent with their duty to laud the secretary, and pass by the commission in rather a singular way. I refer to the commendation

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of the judgment of the secretary by Mr. Hardy, and I confess, as a commissioner, I could not help smiling at the cool manner in which the commission was set aside, and the secretary was stated to have merited the commendation of the world for having suggested the Close Rolls as a work for publication, and other instances might be found, I believe.

1541. Mr. *C. Villiers.*] Had he suggested that in that book?—I have no doubt that Mr. Cooper was the person that first suggested it; all that I felt was, that although much credit is due to the secretary for suggesting useful works, still it might be supposed that of a series of records like the Close Rolls, the commissioners might be equally cognizant with the secretary, and that their being selected for publication might reasonably be supposed to originate in some degree in the knowledge which the commissioners had of the value of these records.

1542. The *Chairman.*] Is it usual for the board to propose a work, and then seek for an efficient editor?—No, that is not the plan.

1543. Are editors first selected, and then works given to them to employ themselves upon?—I think in one or two cases, individuals of distinguished merit have been engaged in the service of the commission, without reference to any particular work, and that work has been subsequently provided for them.

1544. That was the case in your only sub-commissioner, Mr. Hunter?—Yes, I believe that was the case.

1545. Was the work given as a compensation for their services?—No, I do not think that is a fair representation of the transaction. An individual is known by his works and his general reputation as a county historian. In the instance the chairman has taken, he is supposed, upon very good reason, to be an individual whose services will be honourable and creditable to the commission; his previous general acquaintance with records, and the particular and general history of the country, may fairly have led the commissioners to conceive that that individual will undoubtedly be serviceable to the public as the editor of works which the commissioners are previously aware that it will be desirable to publish.

1546. Do you think that the commission has always proceeded in its publications upon the principle pointed out in the commission, that of printing the most ancient and valuable records?—No, perhaps there are exceptions.

1547. Do you not think that it was the duty of the commissioners, first to print those that were most difficult of access, and least likely to be published, and those also that were perishing?—Certainly.

1548. Are you aware in one of the publications, I think it is the Chancellor's Roll, it is stated, that the reason for publishing that work as a record was the greater facilities of access?—I did not see that reason in manuscript, otherwise I should have protested against such a reason being given, not only because I conceive it to be a most absurd one, but because it is compromising altogether the authority and dignity of the commission: all records are, or ought to be, equally accessible to the commission, and I am firmly persuaded, that if proper means had been resorted to, all records were at that time equally accessible to the commission, and that the reason was not only a bad one, but in fact a false one, not that I mean to attribute falsehood to the parties who used it, but their impression was erroneous.

1549. Do you not think, if it was peculiarly easy of access, that that was decidedly a reason why it should be one of the last published?—Yes, unless the record was extremely curious.

1550. Was it extremely curious?—Not pre-eminently curious, certainly.

1551. Then, on the whole, you would say that this work was one of the very last the commission should have undertaken?—I have already said that I was present at the board when it was ordered, and that I made inquiries into the abilities of Mr. Devon as an editor, the interest of the work and the cost of the work, but, much to my disappointment, I received no answer to those inquiries.

1552. Who proposed Mr. Charles Devon as editor?—Mr. Cooper.

1553. Do you consider him a competent editor?—I do not feel I am a competent judge of the abilities of Mr. Devon, since I have never compared his publication with the original records, nor did I see the preface which Mr. Devon wrote, and which was suppressed.

1554. Why was that preface suppressed?—Because, in the opinion of Mr. Cooper, it was not thought creditable to the commission as a literary work.

1555. Who wrote that preface that was suppressed?—I conclude that Mr. Devon

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Devon wrote the preface, but I really am not cognizant of these transactions; and although I regret very much I am not acquainted with the circumstances, I do not feel this ignorance is censurable, as the whole transactions between Mr. Cooper, Mr. Devon and Mr. Hunter, the subsequent editor, was only partially, if at all, brought under the notice of the board.

1556. Then you think that, as a commissioner, you would not be at all censurable for the incompetency of the editor appointed by the board?—No, I cannot say that I feel entirely relieved as a commissioner from responsibility or from the censure that attaches to us as a body of commissioners, who are charged with printing a worthless document or with any injudicious publication; but my evidence will show that I did my best to obtain some information upon the subject, and I beg leave to add, at that time I was very little acquainted with the affairs of the commission, and I was both in age and station very much the junior of all the commissioners assembled at that board.

1557. Do you think that those who were your seniors in age and station as commissioners took more pains or formed a more accurate notion of the competency of editors than yourself?—Perhaps the honourable Chairman would relieve me from the painful situation of being asked to express an opinion upon other commissioners.

1558. I only want you to state the fact from what passed at the board; do you think that they took more trouble?—I cannot say whether those commissioners had previously informed themselves of the abilities of Mr. Devon; but certainly the question of the appointment of Mr. Devon passed on the recommendation of Mr. Cooper, as well as I remember, without any discussion.

1559. How did Mr. Devon execute that work, do you know that?—I understood he executed it in a manner that was decided to be unfit for publication; such was the opinion I heard of it, but that opinion was communicated to me by Mr. Cooper and Mr. Hunter, and not an opinion formed from any examination of mine of the work in question.

1560. Am I to understand that his incompetency being discovered, that work was taken out of his hands, and intrusted to another?—Such I believe to be the case.

1561. In whose hands was it placed?—I believe it was placed in the hands of the Rev. Mr. Hunter.

1562. Sir *Charles Lemon.*] What reason have you to suppose it was put into the hands of Mr. Hunter?—Because Mr. Cooper told me so, and Mr. Hunter also.

1563. The *Chairman.*] Was it by the appointment of the commission it was put into Mr. Hunter's hands?—I will not say the business was not put into Mr. Hunter's hands by the appointment of the commission, but I do not believe it was. As well as I remember, the work was put into Mr. Hunter's hands by Mr. Cooper. I do not remember any discussion at the board, or any appointment of Mr. Hunter, upon taking it. But allow me to remark, that I do not feel that I am doing justice to myself or any others in speaking minutely upon this subject, inasmuch as there may have been possibly a regular minute of the board. My understanding indisputably is and was, that the work was taken by Mr. Cooper out of Mr. Devon's hands, and put into Mr. Hunter's. I remember perfectly that Mr. Hunter cautioned me against supposing that he was to be answerable for the Chancellor's Roll, and Mr. Hunter stated this in very strong terms to me; at the same time, as I know that Mr. Hunter wrote the preface, and that the work was in some degree taken out of Mr. Devon's hands, and in some sort of way committed to Mr. Hunter, I am at a loss to understand upon whom the largest portion of this divided responsibility falls.

1564. Then the extent of your information, as a commissioner, is, that the person intrusted with the business was wholly incompetent to it, and you do not know who edited it really, or who was responsible?—Indeed that seems to be the sum of all that I can say upon the subject.

1565. Was the Rotuli Selecti intrusted to Mr. Devon?—I believe it was.

1566. Was his incompetency for that work equally discovered?—I might make as to that work precisely the same observations I have made as to the Chancellor's Roll, with a reservation in favour of any minutes of the board relative to that work.

1567. Are you not aware that the name of Mr. Hunter appears on the title-page as the editor of that work?—Is it so? My memory does not instantly serve me; I know this was a work originally committed to Mr. Devon, and that it was put into

into Mr. Hunter's hands; and I confess, at the moment of answering the question, I thought that the circumstances of the two books were the same.

1568. Do you know, that of the three works contained in the Rotuli Selecti, one has been twice printed by the present commission, and that other transcripts have been twice made at the public expense?—I think I have heard that statement before.

1569. Do you know whether Sir Harris Nicolas was ordered to edit the Privy Council books without the appointment of the board, and that a portion was printed before the appointment of the board took place?—I have a very strong suspicion that part was printed before the order of the board was made.

1570. Was any calculation made of the expense of the work before it was ordered?—Yes; I think there was some rough statement made of the probable expense of the volume, and it was said it would not extend beyond two volumes.

1571. To how many volumes has it extended?—Five are already printed, and if some impediments had not been raised by the secretary, which, as I understand from Sir Harris Nicolas, stopped his progress in completing the prefaces of two later volumes, seven would be now in the hands of the commissioners.

1572. Would it have been then complete?—Yes, the work originally proposed would be quite completed. That was an edition of the Acts of the Privy Council, of which the original minutes or copies exist in the British Museum. A subsequent order empowers Sir H. Nicolas to proceed and publish later documents preserved in the Council Office.

1573. So that the work that was estimated at two volumes has already extended to six or seven?—The statement was made in a very loose manner, and the impression on the minds of the commissioners was certainly that it would not be advisable to embark in a larger publication; and I think their apprehensions of the extent of the publication were allayed by the statement that it would not extend beyond two volumes.

1574. Then the commission seems always to have been favoured with very loose estimates, and to have their fears allayed with very loose representations?—There is nothing like accuracy in any of our proceedings.

1575. What is your opinion of Sir Francis Palgrave's Essay on the Authority of the Council?—I have read it. I objected and I still object to such a publication; an essay of that character not appearing to me a fit work for a publication of our board.

1576. Do you know that it was a mere republication of materials that had been formerly published?—I heard that opinion expressed by several persons, and, among others, by Mr. Cooper.

1577. Did Mr. Cooper say that he had intrusted the work to Sir Francis Palgrave upon representations of his that turned out afterwards not to be correct?—The communication to which I have alluded was made in the course of the correspondence with regard to the various works of the board, and the proceedings of the board.

1578. Had the authority of the board been obtained for this work?—As well as I remember it had been obtained.

1579. Do you mean that Sir Francis Palgrave had been intrusted with this work by the board, neither the board nor Mr. Cooper knowing what it would turn out to be, they being, as it appears, entirely deceived in the character of the work, when it was published by their orders?—I believe that the work was written by Sir Francis Palgrave, and it was represented to Mr. Cooper, and subsequently by him to the board, that the publication of this work would be creditable to the board, and useful to the board in the prosecution of its labours; that is, as well as I remember, the sum of what occurred at the board, and, I think, the work was printed in consequence.

1580. Have you ever, as a commissioner, examined the authority given you in the commission for printing works?—Undoubtedly I have read the commission with great attention frequently.

1581. Are you aware that that authority is to print some of the more ancient and valuable records?—Those are the words, I believe.

1582. And that is the sole authority for printing?—I believe it is the sole authority for printing.

1583. How could the Essay of Sir Francis Palgrave be considered an ancient and valuable record?—It was considered as illustrating ancient and valuable

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records, and directed to be published, as it was supposed to be a guide to us in the discharge of our duties.

1584. Do you mean that it was published as a work for the private information of the board, just as the Agenda or any other temporary work was published for the private use of the board?—Yes, I conceived it in that light.

1585. Do you know in the Return to Parliament it is specified among the public works of the commissioners?—I have already observed, that my attention has never been drawn to the Returns to Parliament as an authentic document; the Returns have never been submitted to the board; I do not recognize them as emanating from the board, or consider them as documents that are to be treated as the productions of the board, or sanctioned by the board.

1586. Do you know that 250 copies of this work were printed?—I do not know that; it is most probable that I have read that statement in the Returns to Parliament, and it is most probable that the fact has been brought under my notice, possibly by Mr. Cooper himself.

1587. If it was a work printed merely for the private use of the board, so large a number as 250 copies would not be printed?—Indisputably, and therefore my impression has proved to be erroneous.

1588. Then it appears, without your knowledge, the commission has printed under that authority works for the public use to which that authority did not extend?—I cannot say positively without my knowledge, inasmuch as my memory may have failed me as to some representations made at the time with regard to this publication. I do not, therefore, wish to free myself, as it were, from responsibility with regard to this work, although I am not prepared to say that I was aware of the number of copies printed, or that it was intended to be generally circulated.

1589. Then, in fact, as a commissioner, you do not know much about this work, published under your auspices, except that you think it was a work that ought not to have been published?—That is true; and the remarks will apply to almost all the works under the commission, since we have not had those documents laid before us which would give us information as to the cost of publication, or the remuneration to transcribers or editors, or enable us to form a judgment upon the economy or extravagance with which a work has been published. I have always felt myself in an uncomfortable and discreditable situation, being left in a position in which I am not competent to discharge those duties committed to me by the King's commission.

1590. Mr. *Charles Villiers.*] Was not this work distinguished from others in this particular, that it was no record at all?—Certainly.

1591. The *Chairman.*] When works are proposed for publication, is not the editor always proposed at the same time?—Yes; I think that that has accidentally been the case.

1592. Does it not happen that the commission first determined that it would be very proper to publish such and such ancient and valuable records, and then sets about with due deliberation providing a competent editor, but that the proposal of the work and the editor are always simultaneous?—I think that the question of the honourable Chairman supposes an interested transaction with regard to individuals appointed as editors, which I believe has never occurred with regard to any editor of a work. I will not say what may have been the motives that have prompted the appointment or occupation of other individuals, with whose names alone I am acquainted, but of whose occupations and labour I scarcely can say that I know any thing.

1593. Without imputing motives, is not it a fact, that instead of the work being first proposed, and the editor then looked out for, that the proposal for the work and the editor is always simultaneous?—I rather think that such is not a fair representation of the case. The editor of the work has certainly been named to the best of my knowledge always at the same time, but that as the selection of the editor has been left to Mr. Cooper, a previous consideration of the merits of the individual, and the work to be performed, have probably been performed by him, and therefore I cannot say that that has occurred which the question supposes.

1594. Then, do you mean that the commission has so little to do with the original choice of the work, that it has been the custom for the secretary first to fix upon the work, then look out for an editor, and then propose both work and editor to the board?—I do not remember any case in which the board or any individual commissioner suggested the editor or the work, excepting one; when I proposed a Calendar of the Wills in the Prerogative Office, I then mentioned

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the name of a gentleman, whom I had reason to believe would be found, on investigation, competent to the task; but I withdrew my proposal, because I would not be accessary to increasing our expenditure in printing.

1595. Then the editors are selected by Mr. Cooper originally?—I know of no instance of any editor having been selected by the board, excepting those individuals who belonged to the old commission, and of those I rather fancy there are none remaining but Sir Francis Palgrave.

1596. When you remember the instance of Mr. Devon, do you consider the secretary to be a fit person to select the editors?—I should not condemn the judgment of any man, or any body of men, for one injudicious selection; at the same time, my former answer shows that I was not satisfied with the apparent neglect of investigation that took place upon the appointment of Mr. Devon.

1597. Do you consider Mr. Cooper so competent to select editors, that you approve the discretion allowed him by the board at present?—The individuals whom Mr. Cooper has selected, or proposed to the board, have been most frequently advantageously known to the commissioners themselves, and I cannot say, as regards the actual editor employed under the board, that Mr. Cooper appears to me to have shown any want of judgment. I did not approve (but that relates to the other subject) of the position in which the board has left those persons so proposed by Mr. Cooper, and subsequently engaged by Mr. Cooper or by the board, under his entire control, and so dependent upon him, as they appear to be by the decision of our board on the 18th of December 1835.

1598. What decision is that?—I refer to the decision of the board in the cases of Mr. Hardy and Mr. Cole. These gentlemen regarded themselves as sub-commissioners, but were treated as clerks by the secretary; and the board determined them to be clerks of the secretary, and confirmed their dismissal, as a matter of course, involved in their dependence on the secretary, and the previous suspension of their works was also confirmed for the same reasons. Although I concurred in the decision of the board, that the gentlemen in question had not been appointed sub-commissioners, there being no minute which could be produced of their being so appointed, yet I distinctly protested against allowing any editors to remain clerks, and be dependent on the secretary.

1599. It would appear, then, that Mr. Cooper has originally selected the editors, that they have been taken by the board upon a very implicit confidence in his recommendation, and that the board has recognized his authority in dismissing editors, and suspending their works, without any previous sanction of the board?—I will not say that the confidence in Mr. Cooper in the selection of the editors has been blameably implicit, but the board has certainly sanctioned Mr. Cooper's acts in dismissing Mr. Hardy and Mr. Cole, and suspending the works committed, in Mr. Cole's instance, by the board to him, and the majority of the gentlemen engaged under the commission are thus left entirely at the mercy of Mr. Cooper.

1600. Do you not think that this state of dependence on the mercy of Mr. Cooper is excessively degrading to a literary man, and extremely injurious to the proper service of the board?—I do; in saying that, I do not mean to utter any thing offensive to Mr. Cooper's feelings as a gentleman, but I do say, that in my view of the cases of Mr. Hardy and Mr. Cole, the board did leave those gentlemen to suffer from the effects of the caprice and ill-grounded dissatisfaction of their secretary, and that I should deprecate such a position with respect to any other individual as well as Mr. Cooper.

1601. Are not the other editors, Sir Harris Nicolas, for instance, subjected to precisely the same dependence upon Mr. Cooper's mercy, which you consider as degrading, would they not be so on the principles recognized in that decision?—Yes; I believe, with the exception of Sir Francis Palgrave, that there is not a single individual engaged as an editor under the board, not even the Rev. Joseph Hunter, if I understand his position correctly, who is not dependent more or less on Mr. Cooper. Sir Harris Nicolas had a particular work committed to him, by a regular order of the board, and in that, perhaps, he differs from the position of Mr. Hardy; but he is not, I believe, a sub-commissioner, and therefore, according to the decision of that board, Sir Harris Nicolas appears to me to be wholly dependent upon the secretary. I am perfectly certain that Mr. Black and Mr. Stevenson, and other gentlemen, are decidedly dependent upon Mr. Cooper, and quite beyond the protection of the board, as I understand the effect of the decision of the board of the 18th December. We first inquired whether Mr. Hardy and Mr. Cole were

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or were not sub-commissioners, and having found that there was no appointment of them by the board as sub-commissioners, we did not enter into any minute consideration of the memorials presented by those gentlemen. The majority of the commissioners were satisfied that their employer, Mr. Cooper, could not go on with them in an amicable and satisfactory manner, and therefore they declined interfering with their dismissal, viewing them as private clerks of Mr. Cooper. I have mentioned the name of Mr. Hunter; it is therefore necessary that I should explain why I am not satisfied that he, to a certain extent, is not dependent upon the secretary; he is undoubtedly a sub-commissioner, and probably no work committed to him by the secretary can be taken out of his hands by the secretary alone, because he is a sub-commissioner; but inasmuch as he was appointed a sub-commissioner without any reference to any particular work given to him, and as the appointment of a sub-commissioner does not entitle any man to be constantly supplied with work, and therefore receive pay, it appears to me that a case might arise in which Mr. Hunter might have work, and consequently emolument, taken out of his hands by the act of the secretary alone, and that the board would find itself obliged to confirm such an act on the part of the secretary, according to the precedent established by its late decision. This observation, however, has only occurred to me at the present moment, while giving my evidence; I think, however, it is one that subsequent consideration would not induce me to alter. The point I had first in view was, that Mr. Hunter's emoluments had been increased, I believe, by the act of the secretary alone, and not by any direct order.

1602. What was that act?—My memory does not serve me to say, whether when Mr. Hunter was appointed, the minute of the board contained a reference to his salary; but I always understood that Mr. Hunter's salary was to be 300 *l.* a year, since that time it has been augmented 100 *l.* Mr. Cooper mentioned to me, in private conversation, that it was his intention to augment Mr. Hunter's salary, and that he conceived he was fully entitled to it. As a person who estimates as highly as any man can do Mr. Hunter's abilities, I did not doubt that such an augmentation was perfectly right, and did not oppose Mr. Cooper's intention.

1603. Do you think that the augmentation ought to be made or withheld at the pleasure of the secretary?—Indisputably not, and, as a friend of Mr. Hunter, whom I had in some degree the honour of introducing to the acquaintance of the secretary, I have entertained a friendly solicitude about his position; the object, however, of my present observations has solely reference to what appears to me an irregularity in the management of our affairs.

1604. Do you not think that the dependence on the secretary, caused by all these irregularities, which you yourself describe as degrading to literary men, is one that would deprive the board of the services of any man of high station, if they were fully aware of it?—I am quite authorized in saying, such must be the effects. In the first place, Sir Francis Palgrave has written and printed his opinion that the board will in time get no gentleman to edit works under it, if they were made dependent upon the secretary. I know also it is the cause of very great dissatisfaction to the five gentlemen I have named, Sir Harris Nicolas, Mr. Black, Mr. Hardy, Mr. Cole, and I have been told Mr. Stevenson; at all events, be they satisfied or dissatisfied, it is a position in which I am not content to leave them, either with reference to their interests, or my own duties and rights as a commissioner.

1605. You say that the board, in sanctioning the dismissal of Mr. Hardy and Mr. Cole, did not enter into the question of Mr. Cooper's reasons for it?—I confess I think too much reference was had to the question, whether they were sub-commissioners or clerks, and much too little reference to the contents of the correspondence, and the real ground and merits of Mr. Cooper's dissatisfaction with them.

1606. Were they suspended on account of misconduct or incapacity in the discharge of their duties under the commission, or from some private cause of offence given to Mr. Cooper?—Indisputably they were not dismissed for any incompetency in discharge of the works committed to them: as well as I can understand or state in this off-hand manner, the grounds of the dismissal of Mr. Hardy, they appeared to originate in an accumulation of dissatisfaction on the part of Mr. Cooper, at petty occurrences or expressions. The original point of dispute was a claim, on Mr. Hardy's part, for remuneration for a preface, and some illustrative matter to the Patent Rolls: this, it appears, Mr. Cooper was not prepared to give him, and it appears that Mr. Cooper had forgotten the agreement made between them:

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Mr. Cooper subsequently admitted the agreement when it was recalled to him, but wished the settlement of the claim to be postponed; the reasons which Mr. Cooper stated for that postponement appeared unsatisfactory to Mr. Hardy, and he wrote him rather a taunting letter, from which I date all their subsequent disagreement: I must say, although I have so characterized the letter, and think it had better not have been written, that in my view of the transaction, Mr. Hardy was entitled to have written the secretary of the commission a very severe remonstrance upon his want of accuracy and business-like habits, in not having written agreements, and in wishing to postpone the fulfilment of an agreement which he admitted. I am told Mr. Hardy's works were suspended by Mr. Cooper, in consequence of Mr. Hardy's refusal to give up some transcripts: this does not appear to me to be a fair reason for so strong a step, and I confess I am not at all satisfied with the whole of the transaction, because, in consequence of a trifling dispute between the secretary and Mr. Hardy, the board and the public were deprived of one of its best editors. With respect to Mr. Cole, there certainly was no dissatisfaction at the performance of his work as an arranger of records; but the calendar of the Augmentation Office was suspended, either because it was too expensive, or not satisfactorily made. This work was suspended without the authority of the board being previously obtained, and the propriety of Mr. Cooper suspending that work has never been thoroughly discussed, but seemed to be considered as an act involved in Mr. Cooper's right to dismiss Mr. Cole as his clerk. Two reasons have been assigned to me for the suspension of this work; but I really do not know which is the one that I am to accept as a positive reason for the cessation of this work: first, it has been stated to me that the work was suspended because Mr. Cooper disapproved of Mr. Cole's claims; and next, because the work had been proved to have contained errors. Those errors were stated upon the authority of Mr. Hunter. In this transaction I complain, and complain very seriously, that the solemn order of the board, committing the work to a person specifically named in one month of the year was suspended in another, and was allowed to remain suspended for a considerable time without any attempt to get a board, and that no definite account has been given to the board of the reasons for this suspension. If it was because Mr. Cole had charged too much, then I think it is very fair to say that there was a blameable omission both on the part of the commission and the secretary in not coming to a specific agreement with Mr. Cole as to his remuneration. It appears, however, from Mr. Cole's correspondence with Mr. Cooper, which is published, that he offered to admit of any abatement in his terms which the secretary might think proper. If the work is inaccurate, I certainly feel placed in an awkward and unpleasant situation, since the papers upon which Mr. Cooper's unfavourable judgment as to the work was formed appear, from all inquiries I have made, to be the very specimens that were submitted by Mr. Cooper to the board, and to me individually, as well as to one or two other commissioners, as specimens entitling Mr. Cole and the work to the approbation of the board.

1607. So that those works of Mr. Cole were stopped on account of a private matter in dispute between him and the secretary, the secretary having so highly approved of them as to show them to the board as specimens of his work?—How far this work may have been suspended in consequence of the private dispute between Mr. Cooper and Mr. Cole, with reference to the conduct of the affairs of the commission, in other matters I will not pretend to say; that is not the representation, however, which I consider fair, because two reasons are expressly stated for the suspension of this work of Mr. Cole: what I complain of is this, that a work authorized by the board, and approved of by the board, is suspended by the sole authority of the secretary, and, as far as I can understand the case, condemned on the evidence of the very same specimens which were produced, as an inducement to the commission to order the work, and appoint Mr. Cole to be the editor: at all events, if my impression is incorrect, this I think is certain, that the work has been suspended without Mr. Cole's statement, and the reasons for the suspension never having been properly discussed at the board, this particular question having only received half a dozen words of notice.

1608. The Right hon. *C. W. Williams Wynn.*] Were those specimens submitted to the board in order to show the accuracy with which the work had been performed, or in order to give the board a general idea of the nature of the work which it was proposed to undertake?—Of course; I cannot suppose that the secretary would be so censurably careless as to present to the board specimens of a

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calendar which he thought it desirable the board should authorize Mr. Cole to undertake, and praise them so highly as he did, without having tested the accuracy of those documents: specimens they might be, and might contain inaccuracies, but indisputably they were presented as worthy the notice of the board; and if they were inaccurate, instead of being calculated to induce the board to publish them, they would be evidence of the incompetency of the party recommended, and I conceive that the secretary was most censurable in presenting such documents to the board, if they were so inaccurate as to prove afterwards documents upon which the work ought to be suspended.

1609. Did you understand them to be submitted to the board as specimens of the general plan of arrangement upon which the work was to be undertaken?—I understood them to be the first pages of the calendar of the Augmentation Office and the Exchequer Records as they were to stand in the work that Mr. Cooper was to propose to the board; that Mr. Cole should edit not simply his specimens, but actually as the first pages of the work; of course they might possibly require some trifling corrections, such as the most experienced editors find their works demand on a last revisal.

1610. The *Chairman.*] Do you know how many copies had been printed of this specimen?—No, I do not.

1611. Is it usual to print 500 copies of specimens?—Certainly not; and if 500 copies have been printed, that proves them to be what I stated, the first pages of the work Mr. Cole was to edit.

1612. What you mean is, that Mr. Cooper presented these to the commission as the first pages of a work editing under the authority of the commission?—Yes.

1613. Did he at the same time praise their execution, and say that the work ought to be continued?—Undoubtedly.

1614. The Right hon. *C. W. Williams Wynn.*] Did he express any opinion as to the accuracy; did he convey any opinion after examining their accuracy?—I do not remember that Mr. Cooper expressed any opinion upon their accuracy; but I beg to repeat, that Mr. Cooper would have been most censurable if he had presented to the board these first pages of the calendar of the records of a particular court, and recommend them to be adopted by the board, if he had not previously tested their accuracy: I feel, as a commissioner, that there attaches to me individually no small degree of responsibility for concurring in the publication of a work by an editor, who should be subsequently proved to be incompetent for the task by the very specimens which had produced my approbation. However, I have no grounds for supposing that these pages are inaccurate.

1615. The *Chairman.*] Do similar inaccuracies appear in subsequent pages of the work?—My idea is, that Mr. Cooper never saw any other pages than those submitted to the commissioners at the board.

1616. If he grounded the suspension of the work upon that inaccuracy, he must have discovered that inaccuracy after he presented them to the board as satisfactory specimens of the work?—I do not believe he discovered any inaccuracies himself; he stated it to me on the word of another person.

1617. If he did discover them, it must have been subsequently in the same sheets?—So it appears to me.

1618. So that Mr. Cooper either presented specimens of a work, and printed 500 copies of a very inaccurate work, or he suspended a work that was not inaccurate, and that deserved the commendations he originally bestowed upon it?—That is exactly the dilemma I feel we are placed in as to this work.

1619. Did not the disputes between Mr. Cole and Mr. Cooper turn partly on the subject of the remuneration of Mr. Cole for editing works?—They turned upon the mode of his remuneration.

1620. Did not the disputes between Mr. Cooper and Mr. Hardy turn upon the same subject?—Upon the mode of remuneration in Mr. Cole's case, and in the other as to the amount of remuneration for particular articles.

1621. Mode comes to amount?—Not quite; but both disputes turned upon the point of their being or not being sub-commissioners.

1622. Do you mean that Mr. Cole would have been satisfied with the amount paid to him, if it had been paid to him in a different fashion?—No, I do not think Mr. Cole would have been satisfied with the amount.

1623. Had Mr. Cooper and Mr. Cole differed as to the amount to be paid?—Yes. In my former answers I was thinking of the dissatisfaction I believe Mr. Cole expressed at his being paid partly by salary, and partly for separate work.

1624. Did

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1624. Did Mr. Cooper differ with any other editor in the amount of the remuneration that he was to have?—I am not aware of any representations having been brought before the board upon the subject.

1625. Do you happen to know whether he differed from Sir Harris Nicolas upon the subject of the nature of his engagement with him?—I will not say whether there has been actually any dispute with him about the nature of his engagement.

1626. Did it not amount to a dispute as to the amount of remuneration he was to receive at a given time?—Yes.

1627. Have not all those disputes arisen, in your opinion, in a great degree from there being no written agreement between the secretary and the editors?—Yes, and from the board not having any analysis of the accounts submitted to them, and a synopsis of the works.

1628. Have you ever pressed upon the board the necessity of having written engagements?—I am not certain that I have; but I sent to Mr. Cooper in June 1833 a document which, if not valuable in itself, would have been useful as a guide in drawing up a document which would have exhibited the names of all the persons in the employ of the board, the date of their first engagement with the board, the work submitted to them, the date of the order of the board for that work, and the progress made in it from time to time.

1629. The Right hon. *C. W. Williams Wynn.*] Is not that very much like what is laid before the board by the general report?—I know of no general report.

1630. The tabular statement?—I know of no tabular statement or general report.—[*Mr. Williams Wynn explained, that he referred to the reports of former commissions.*]—I do not doubt that to the former board such information was submitted, and although that information was, I think, very incomplete, and though I find much to condemn in the former commissions, yet I conceive certainly in a very great many points the form of doing business, and the information submitted to the old board, was most creditably distinguished from that of the new board; but my paper related to the works actually in progress under this commission, and it was written with a view of being printed in the Agenda; but Mr. Cooper suppressed it, stating, that although compiled from the minutes, it was necessarily imperfect; hence it appeared to me that no commissioner, even although he had perused the minutes from the first to the last volume, could state with accuracy what were the engagements entered into under the board with the sub-commissioners or editors; and I told Mr. Cooper that I thought the reason quite insufficient, and that if there were any errors or any omissions, they might have been supplied or corrected by the secretary, and the document might have appeared.

1631. The *Chairman.*] Then it is your opinion that the business of the board has been done in a manner less regular and satisfactory since the date of the present commission?—No, I do not intend that such an inference should be drawn from any thing I have said. The former question to which the Honourable Chairman alludes, having been put to me by my right honourable friend, if he will allow me so to call him, who was a member of the former board, I had great satisfaction in alluding to certain documents to which he appeared also to have referred, and which had excited my approbation. Amongst those documents to which I allude, was the form of the warrant issued from the board to the Treasury for the payment of monies to Mr. Caley. This specified the services for which those payments were made. I do not mean to say that in all respects the proceedings of the present commission are inferior to those of the former, or that they are not in some respects in my humble judgment better. At the same time, indisputably, I cannot approve of some of our forms, or rather absence of forms, in transacting our business, and the Agenda and my evidence bear witness to my having made some propositions, which, had they been adopted, would have established a regular system, different from that persevered in by our secretary.

1632. Was Mr. Richard Bond discharged at the same time that Mr. Cole and Mr. Hardy were dismissed?—Yes.

1633. Did he present a memorial to the board on that occasion?—Yes.

1634. Was it considered by the board?—No; Mr. William Brougham wished for the opinion of the board on the subject, and expressed great regret at the position of this individual; but it was at the conclusion of the board, and in the hurry of business in breaking up, and I am sorry to say that Mr. Richard Bond's memorial appears not to have attracted the attention of the board.

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1635. Who was Mr. William Bond?—He is a young gentleman, a relation of Mr. Cole, and employed by him in making extracts for the calendars of the Augmentation records under his superintendence.

1636. Was any misconduct alleged as a reason for his dismissal?—I never heard any thing imputed to him, nor did I ever hear of his dismissal, except through his own memorial; he always appeared to be a highly respectable young man, and I believe there was not the least imputation upon him, direct or indirect; his dismissal, it appears, was considered involved in the dismissal of his relative, Mr. Henry Cole.

1637. Before a work is printed, are the proposed contents of the work submitted to the board, or has the board either an opportunity of reading the work in manuscript, or knowing generally what its contents are?—They have no opportunity of seeing the manuscript of the work, nor the proof-sheets, except in those cases where a specimen of the work to be proposed for the approbation of the board has been submitted to the board prior to or on the day on which the appointment of the editor is made.

1638. The Right hon. *C. W. Williams Wynn.*] Does it not occur to your recollection, that a work, as far as printed, has been laid before the board?—I remember perfectly in the case of Mr. Petrie's work, when we were discussing whether it should be continued by him or by any one else, or wholly suspended, that the secretary produced copies of all the sheets that were printed for the inspection of the board; but I have two reasons for not considering that this is an instance contradictory to what I stated in my former answer, first, that this work is not properly a Record Commission publication, but a work ordered by Parliament, and only placed under our control, and, secondly, that the work so produced, was not submitted to us at a particular stage, in the course of Mr. Petrie's regular proceeding, but was submitted to us for a very particular discussion, which was not of regular occurrence; viz. whether the work should not be stopped altogether.

1639. The *Chairman.*] What work was this?—The Historians of Britain, the Welsh Laws and the Saxon Laws; specimens of all these were submitted to the board on that occasion. They were then all parts of one great work, which was subsequently divided and committed to three different persons, Mr. Petrie, Mr. Thorpe, and Mr. Owen.

1640. The Right hon. *C. W. Williams Wynn.*] Do you not recollect upon former occasions specimens were also laid before the board?—I cannot call to recollection any instance of specimens being submitted to us on any other occasion than that I have just stated. I will not say that specimens may not have been submitted, and that the fact may not have escaped my memory, especially as the right honourable gentleman, who is also a commissioner, puts me the question.

1641. The *Chairman.*] As the series of Pipe Rolls is now publishing, are you able to say whether the whole series is complete?—The whole series is not complete; there are rolls of early reigns missing; but some of those which were supposed to be lost, have been recovered.

1642. When?—Within the last two or three years.

1643. Is it not possible that some others may be discovered?—Certainly, it is possible. I am not aware what probability there is that others will be discovered; it depends upon the state of order or confusion in which those records are deposited.

1644. Is not the Pipe Office at Somerset-house in a very great state of confusion, and the greater part of the records there?—I cannot state that; I am not sufficiently acquainted with the state of the Pipe Office to answer that question.

1645. As this work is publishing under your authority, and you knew the series of rolls to be incomplete, do you not think that it ought to have been ascertained whether the missing documents might not have been found among the records in the office?—In the first place, there is no series of those rolls being printed: Mr. Cooper has told me latterly that the roll printed was only printed as a specimen, and that he had no intention of printing any more; but supposing that he had adhered to the design, which, I believe, is stated in the Returns to Parliament, of printing the series of the Pipe Rolls, as the missing documents are those of a period which, in all probability, would not have been comprised in the first volumes, and as there is very good reason to expect that those documents will never be recovered, or if recovered, found before the editor got to the year in which they are missing, I do not conceive, as far as I understand the case, that there is any thing injudicious or unadvisable in beginning now to publish a series of the Pipe Rolls.

1646. What

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1646. What is your opinion of the utility of the Agenda?—I do not think it a useful work; I think it has been an injudicious compilation.

1647. Do you think, for instance, there is any great public utility in printing Latin letters, addressed to "C. P. Cooper," with a great many superlatives in Latin prefixed to his name; do you think those are documents that it is necessary to have printed?—No, indeed; nor is it at all acceptable to me to see, in the same publication, equally grandiloquent letters in praise of the commission and the commissioners; but my objection to the publication is based not upon the inutility or absurdity of such articles as those are, but upon the nature of the principal part of the other articles forming this volume.

1648. Do you think, for instance, that these Agenda are necessary notices of business, for the information of the commissioners?—No, I do not. I think notices of business had better have been kept in manuscript, or if printed, as I stated to Mr. Cooper, printed in a small type upon a single piece of paper, at less expense, but something like the votes of the House of Commons; and if there were any reports made to the board of more than ordinary interest, I think that they should have been put together in the shape of an appendix; but upon a careful review of the Agenda, I do not see, from beginning to end, four documents worth being perpetuated. Indisputably there are some very valuable remarks upon the works of the old commission, and suggestions with respect to the publications by the board, which merit the attention of the commissioners; but as all, or almost all, those suggestions would be carried into effect if judicious, those documents become only of a temporary interest; and as for selections from ancient records, I think they are out of place in such a work.

1649. The Right hon. *C. W. Williams Wynn.*] Do you not conceive that it is useful, if not absolutely necessary, with so numerous a commission as the present, that there should be a previous knowledge communicated to the commissioners of the business to be brought before them at each board?—I am not aware that any prejudicial effect upon the transaction of our affairs has resulted from the substitution of written notices for the printed Agenda: I think we have had subsequent to the cessation of the Agenda, as important business to discuss, as we had when the Agenda were printed.

1650. I do not ask the question as with reference to their being printed or written, but of there being Agenda circulated, and no question being brought forward at the board of which the commissioners have not previous notice?—Indisputably. I perfectly concur in the remark that has been made by the right honourable gentleman. I have myself requested Mr. Cooper to have notices of mine printed in November 1833, that they might be brought more particularly under the notice of the commissioners.

1651. Do you not remember that the Agenda were adopted in consequence of motions having been brought forward and sanctioned towards the conclusion of the board, which members would have objected to, if they had been presented to their attention previously?—I certainly think that all means should be taken to secure the commissioners having a perfect knowledge of the business that is to be submitted to them; at the same time, the Agenda appears to me to be expensive in its form of printing, and that the object of making a book has been too much kept in view.

1652. The *Chairman.*] Is there, in your opinion, any utility in printing those large masses of antiquarian matter which are in the Agenda?—No, I have already stated that those do not appear judiciously in this publication; I believe some of them are very inaccurate, and if such articles are admitted, it will be a very expensive work: those reports are written by various gentlemen, some of them clerks or sub-commissioners, as in the case of Mr. Cole, who expect, whether they will receive it or not, some remuneration for them. Others are contributions for which direct payment has been made, and we must not lose sight of the payment made to Mr. Hardy and other gentlemen for forming an index, and passing the work through the press.

1653. If it is necessary to print the notices for the convenience of a numerous commission, is it not particularly necessary that those notices should be confined within the smallest convenient space?—I think they may be confined within a very small space indeed.

1654. Do you know any thing of a volume entitled Miscellaneous Records, from the records in the Exchequer?—Yes.

1655. Was it compiled by Mr. Cole?—Yes.

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1656. Is it proposed to append this as a supplement to the Agenda?—So I have understood from Mr. Cooper.

1657. Why should those records be supposed to have any more connexion with the Agenda than any others?—They have no earthly connexion, and the idea of appending them as a supplement to the Agenda, I have always repudiated as perfectly absurd. It is fair, however, to state, that the question does not accurately explain Mr. Cooper's intention. I have always understood that Mr. Cooper's intention was to form something like a volume of proceedings, or the acta of our board, to which this was to be appended; but I have most strenuously opposed it, because I do not believe, if our acta were collected together, that one page would be too small to contain them. If we have discharged our duty, our acta would better appear in the good arrangement of the record offices, and the volumes published by the commission.

1658. The Right hon. *C. W. Williams Wynn.*] Has the question of printing this as a supplement, or in the same shape as the Agenda, ever been brought before the board?—I believe that in consequence of some notices of mine, which have never regularly been discussed at the board, with respect to the work in question, and to some previous inquiries of mine, Mr. Cooper has stated to the board, that it was his intention to form such a work as I have previously mentioned, the acta or proceedings of the board, and I understand that when he directed Mr. Cole to make these collections, it was his intention that they should be appended to such a work. But my acquaintance with the work does not originate in any order of the board, nor from the work having been submitted either in manuscript or in print to the board, nor from any communication about the work made to the board, but from my having accidentally seen the printed volume in the Augmentation Office. I observe that the preface which I read in Mr. Cole's copy, does not appear in that which is delivered in to the Committee.

1659. Has this work ever been recognized by the board?—It is one of the works which have never been brought before the board; I put a notice about it twice on the Agenda, as a matter for inquiry, but the discussion has never come on. It was never shown to the board at any time; certainly it was printed, and in its present form, and had a preface and a title page, as appears in the copy now on the table of the committee-room, belonging to Mr. Cole, and was in its present state before any notice was taken of the work.

1660. The *Chairman.*] Is it not printed in a form that the commission had determined not to adopt, with regard to their other works generally?—The volume is printed in an entirely new form, in a small folio, neither according with the former works, the large folio, nor with the octavo form adopted by the new commission, and the shape excited my surprise, particularly when I saw it at the Augmentation Office.

1661. Is it your opinion that much historical information could be collected from the records by the public, if free access was given to them?—Indisputably.

1662. Have the public such access at the present time that you deem satisfactory?—Indisputably not; there are all kinds of barriers to a free consultation of the records.

1663. Does not it appear rather absurd to you, that while the record commission is going on publishing records, that free access should be denied to the public to the same records?—Yes; I think if the record offices were judiciously opened, the labours of private individuals would produce a great accession of information to history, topography, and genealogy.

1664. What distinction do you make between the several persons employed under the board, as to their being sub-commissioners or clerks?—There is a very great confusion existing in the use of those words; they have been used with very little accuracy. It appears by the decision of the board of the 18th of December, that there are at present under the employ of the board sub-commissioners and clerks, who are editors as well as clerks, for transcribing and copying, and common workmen.

1665. Do not the clerks and editors, not sub-commissioners, do the work that the sub-commissioners do?—Certainly; one of the most eminent of our record editors, a gentleman who has most distinguished himself for the accuracy and value of his publications, Mr. Hardy, is decided to be a clerk, and his dismissal by Mr. Cooper was confirmed by the board.

1666. Do you think the board is legally authorized, according to your interpretation of the words of the commission, in committing the editorship of works,

works, and the arrangement of records, to persons who are not sub-commissioners? —No, indeed; my view of the commission is, that we are not legally entitled to commit this work to any other persons than those who are regularly appointed sub-commissioners.

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1667. It is stated in the commission, that the sub-commissioners are to be appointed and discharged by a certain number of commissioners, I believe three, of whom one must be a quorum commissioner, is not that the fact?—Yes, it is.

1668. Then does not the employment of those persons called clerks, to do the work which by the commission is vested in sub-commissioners, in fact put the persons who do the work that ought to be intrusted to sub-commissioners, under the immediate authority of the secretary, and not as they should, by virtue of the commission, be, under the board?—Certainly.

1669. That I think, from what you stated before, is a change of which you disapprove?—Most highly, both as relates to its effect on the performance of the duties of editor, and the feelings of the gentlemen themselves. I conceive that the object of the words that have been read by the Chairman is to secure, as far as regards the public, that the work shall be done by trust-worthy persons, who, from their position as well as their character, are in an honourable and responsible situation to the commission; and, without meaning to cast any reflection on the secretary, I think that the object of those words was to secure respectable gentlemen, such as are all our editors with whom I have the pleasure of being acquainted, whether called sub-commissioners or clerks, from those consequences which may be naturally apprehended from a complete dependence on the secretary to our board. I say this without reference to Mr. Cooper individually. I verily believe that the consequence of the appointment of clerks to the situation of editors, even supposing that it was consistent with the words of the commission, and legally right, will be productive of the most prejudicial consequences.

Lunæ, 14° *die Martii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Hawes.
Sir William Molesworth.	Mr. Charles Villiers.
The Right hon. C. W. Williams Wynn.	Sir Charles Lemon.
Dr. Bowring.	

MR. CHARLES BULLER IN THE CHAIR.

Henry William Vincent, Esq. called in; and Examined.

1670. The *Chairman.*] YOU hold the office of King's Remembrancer?—Yes, I do.

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1671. Are you keeper of the records of the Court of Exchequer?—I am.

1672. Have not some other records been put into your possession by a late Act of Parliament?—Yes, they have.

1673. Which are those?—The records of certain abolished offices in the Exchequer, the Lord Treasurer's Remembrancer's, the Clerk of the Pipe, the Clerk of the Escheats, and three or four, in all of which there are some records; but those are the principal.

1674. Have you obtained possession of all those offices?—Yes, I have.

1675. Did you immediately obtain possession of them?—Of the offices themselves I obtained possession very soon after the passing of the Act.

1676. When did that Act pass?—The Act came into operation the 10th of October 1833.

1677. Was the Augmentation Office one of those offices?—The Augmentation Office was not known to be one of those offices till subsequently. The Augmentation Office was not mentioned in the Act by name, and was not specifically pointed out as being transferred by the Act, till afterwards.

1678. When did you become acquainted with the fact that the Augmentation Office was one of those offices transferred?—Not till April 1834.

1679. What event occurred that apprised you of that?—I received a letter in the country, informing me, that on the death of Mr. Caley on the 27th of March,

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that office was taken possession of by the Record Commissioners, of which they retained possession; and on the 4th of April my attention was called to that circumstance, it being pointed out to me by a clerk in my office, who called my attention to it; and they were subsequently transferred to my custody under that Act, as representing the Clerk of the Pipe.

1680. Who was the clerk?—A gentleman of the name of Adlington.

1681. Did Mr. Adlington at the same time, or at any subsequent period, inform you of the custody of those records being claimed by the commission?—Yes, he did, in a letter of the 4th of April, and another received the 5th. He informed me he had applied to the secretary of the commission to know on what ground he had taken possession of those records in that office.

1682. Was any ground stated by the secretary of the record commission?—In a second letter the clerk enclosed to me a letter or note from Mr. Cooper, the secretary of the commission, returned to him by the secretary, in which he stated that whatever had been done in that office arose out of an interview with Lord Grey.

1683. In consequence of this did you take any further steps?—I wrote on that day to Lord Grey's secretary (thinking the phrase, "arising out of an interview," rather ambiguous) to know the nature of the arrangement, and concluding with a request that unless the whole had been fixed finally, the arrangement might be suspended till my return to town.

1684. Did you receive any answer to that letter?—Yes, I did, by return of post. I wrote on the Saturday, and there was a Sunday intervened, that made one day difference.

1685. Did it appear from that, that Mr. Cooper had had any sufficient authority from Lord Grey to take possession of those records in the name of the commission?—The answer given to me by Lord Grey's secretary was, that Lord Grey was not aware of having communicated any authority to Mr. Cooper for that purpose; and that Mr. Rice had received, as a matter of fact, information from Mr. Cooper that they had fallen into the custody of the record commissioners upon the occasion of Mr. Caley's death.

1686. Have you got that reply?—Yes, I have.

1687. Have you any objection to produce it?—I do not apprehend there can be any objection. It is in the form of a private note.

[*The Witness produced the same, which was read, as follows:*]

"My dear Vincent, "Downing Place, 7th April 1834, half-past six.

"Lord GREY tells me he has no recollection of having given any authority to Mr. Cooper to take possession of the records of the Augmentation Office. Mr. Rice saw Mr. Cooper last week, for the purpose of framing a minute to carry into effect Lord Grey's directions for the appointment of Sir F. Palgrave to succeed Mr. Caley as keeper of the records in the Chapter House, and confining his whole emoluments, including salary, fees, and remunerations from the Commissioners of Records, to 1,000*l.* per annum. In this interview, Mr. Rice informs me, Mr. Cooper observed that the Augmentation Office records had fallen under the custody of the Commissioners, which Mr. R. received as a piece of information, not knowing any thing to the contrary. This, I believe, is the whole that has passed with respect to these Records; but I would recommend you, when you come to town, to call upon Mr. Rice, who says he will be very happy to see you on the subject. If you cannot settle the matter with him, Lord Grey will be glad to have some conversation with you about it. "Yours truly,

"*S. M. Leake.*"

1688. In consequence of this information, did you proceed to take possession of the office; or did any further correspondence pass between you and Mr. Cooper upon the subject?—I wrote to Mr. Cooper, to state to him, that I thought the taking possession of it in the name of the Record Commission had probably originated in a mistake; and I requested to be informed of the grounds upon which it had been done. I pointed out, in, I think, a subsequent communication, the reasons that induced me to think it was extremely improper, and, in fact, illegal.

1689. How long did that correspondence continue?—I think, with some intermission, until the 12th of April; I think that is the date of the last letter specifically upon the subject.

1690. There is a letter of Mr. Cooper's, dated the 11th of April, to you, the substance of which is, that the Augmentation Office was not mentioned in the bill, and that the truth is, that it was a *casus omissus:* what followed upon that; did

did you obtain possession of the office, or did it remain in the Commissioners?—It remained in the possession of the Commissioners.

1691. Was a keeper appointed?—I have no knowledge of what took place while it was in the hands of the Commissioners; I considered it entirely beyond the province of my custody, and I am not at all aware what arrangement was made by the Commission, except that, on one occasion, I applied to see Mr. Gay, Mr. Caley's late clerk there, with the view of ascertaining the footing it was left upon, and his own opinion upon the subject; and I received an answer, that, having applied for permission to the secretary of the Record Commission to attend me, he was refused; and I considered from that time I had no control over the office, and ceased to inquire into it.

1692. Did the office come into your possession subsequently?—Yes.

1693. Under what circumstances?—I forget at this moment how the case was re-opened upon the subject of the Augmentation Office; but I had, in an earlier stage of the proceedings, made a report to the Treasury, in answer to a reference they had made to me, of a letter of Mr. Cooper to their Lordships; I reported the circumstances attending the taking possession of it, and the view I took of it, and this report, and the papers connected with it, were ultimately referred by the Treasury to the Chief Baron, who reported upon it, and in conjunction with whose opinion the Treasury finally put me in possession of it, as the legal custos of the office, and the records belonging to it.

1694. Since that have you had any disputes with the Commission upon the subject?—I think not.

1695. Do you know whether the Treasury wrote to the secretary of the Commission, informing him that the Commissioners must not interfere with the Records in that office?—I think I have no official knowledge of that letter, and I do not remember its having been brought in that shape under my observation.

1696. Have you any thing further to state about the disputes that took place between you and the Commission on the subject of the custody of this office?—I have nothing further to state as a general outline of what took place; on the filling up of the correspondence I felt myself involved in a certain difficulty, by the mode of its being conducted, which can only be appreciated by a reference to the correspondence itself; but, as regards the general outline of the facts, I do not know that I have much to state that will enable the Committee to form any judgment upon the subject.

1697. With regard to the other offices in your custody, has the Commission interfered at all with them; the Pipe Office for instance?—No improper interference, that I am aware of.

1698. Has the Commission interfered in discharging its duties of arranging and transcribing, or otherwise dealing with the records, for the purposes stated in the Commission?—There has been some correspondence upon the subject with the secretary of the Commission; I believe, before the records came into my possession, he had been in correspondence with some of the persons employed upon those records, during which certain transcripts and copies, and such services connected with the records had taken place, and subsequently to their coming into my possession, some correspondence took place as to the continuance of those services.

1699. What was the result of that correspondence?—There was a difficulty made by the secretary of the Commission, as to the mode of conducting and remunerating for that service, which induced me to apply to the Chief Baron upon the subject, having written, I think on the 5th of March, to the secretary, to state that I was very desirous of entering into any arrangement which the Commission might deem necessary for the furtherance of their objects, and suggested the outline of a plan by which it might be done; I think on the 5th of March, subsequently to which some dispute arose as to the remuneration to be made for the service, and the mode in which it was to be conducted, I applied to the Chief Baron upon the subject, who sanctioned the rate of remuneration; but it did not fall in with the views of the secretary of the Commission, and the service was suspended in consequence.

1700. What objections were made to the mode?—There were no specific objections made as to the mode, but having in my letter of the 5th of March pointed out the principles upon which it was necessary to be conducted; and having expressed my willingness to enter into the arrangements necessary, I received no communication from the secretary, except such as implied, that the business was

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stopping for want of an arrangement by me, which I did not consider at all the case. I communicated with the Chief Baron and the Chancellor of the Exchequer, with a view to have it put upon another footing, that something might be done to obviate the misunderstanding; the difference was between 4*d.* and 6*d.* a folio as to the amount of remuneration, the latter amount having been settled by the Chief Baron as a medium rate of remuneration, far less than had been taken by the officers conducting the service on former occasions, and, as I was informed, very much below what the commission had paid on other occasions, and, in fact, lower than the amount which had been complained of by those employed by them, but that was matter of verbal information.

1701. In consequence of those disputes, the work of transcription at the Pipe Office was stopped?—It was.

1702. In what condition are the records in that office?—For the most part very good.

1703. Are they well arranged?—Yes, the major part of them by far are well arranged; I should say, from a cursory view in going through the repositories, and the reports made to me, I believe that the majority of them are decidedly fairly arranged.

1704. Are the Lord Treasurer's Remembrancer's Records in your custody?—Yes, they are.

1705. In what state are they?—They appear in going through them, the majority of them, to be in a state of perfect arrangement and security.

1706. But in both those offices there is a considerable mass of records not yet arranged?—There probably is, but far less than the mass of records in the King's Remembrancer's office.

1707. Do you consider it your duty, as keeper, to undertake the work of arranging those records?—No, I do not; I consider the duty of every keeper of records is, to see that they are in a proper state, and that he is virtually responsible for the acts of his officers, and every thing under his legal care; but it would be a matter of enormous expense to arrange the mass of miscellaneous records which, through a long series of negligence, have got into the state in which some of them are; and I do not consider myself called upon without the directions of the court or some further authority, to take steps for so large a proceeding. I have since my appointment in 1823, beginning in 1824, written reports upon the subject to the Treasury, and called the attention of the Treasury and the Government very constantly to the subject. I have taken very great pains upon the subject of the arrangement of these records, and where I had opportunity, have done it to the best of my ability.

1708. But you think the work of making an arrangement of all these records is beyond your means or your time?—I think it impossible for any one person to undertake the arrangement of all these records, though it is competent to the head of the office to incur the expense, and employ the labour to put it into an efficient arrangement.

1709. Have you any such authority?—I should not consider I had, without the warrant of the Treasury, or the order of the Chief Baron of the court: under that sanction I have done a great deal as to the arrangement and security of the records, both long before and since the existence of the present commission.

1710. Do you not consider that the commission was appointed especially to take this work of arrangement out of your hands in such cases as you have been mentioning, where, owing to previous neglect, the records were in a great state of confusion?—I always looked upon it in that light.

1711. You would not have thrown any obstacles in the way of the commission doing its duty?—Very far from it. I had the greatest desire, and always so expressed it, to meet the views of the commission, of which I have evidence extending over a long period of time in the correspondence that took place, and in the very great promptitude upon which I always attended to any representation in a shape that I could attend to.

1712. Do you think that the commission has carried the work of arranging the records in your custody as far as they might?—I am not instructed upon the extent of the labours of the commission, but I believe they have done a great deal, and, from what I have heard, they have done it exceedingly well and usefully to the public; those parts of the result I have seen so far, as I am a very inade-

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quate judge, appeared to me to be well done, and exhibit a great deal of labour usefully bestowed. *H. W. Vincent*, Esq.

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1713. You are now alluding to the Exchequer Records which are properly in your custody as Remembrancer?—Yes, and I believe also the records in the Augmentation Office. I believe they have shared the time and labour that the commission had bestowed.

1714. But the commission has done little towards arranging the records in the Pipe and Lord Treasurer's Remembrancer's Office?—I am not aware that they have done much in either of those offices, but I am ignorant of the extent of what they have done; the only correspondence as to those records I have had with the secretary of the commission, has been on the subject of the transcript of the Pipe Rolls, which was suspended in consequence of the difficulty I have mentioned.

1715. The records of the King's Remembrancer of the Exchequer have long been in a very bad state?—A great part of them have; perhaps you ought to say only one part properly so called; they have been frequently alluded to, and spoken of as if they were all in that state, which I conceive an unfair representation of the case: a large portion of them appears to have been in an arranged and available state, and constantly resorted to for legal purposes.

1716. Where is that portion kept?—It is now in the Carlton Ride, subsequently to the last removal.

1717. Is not that portion that you describe well arranged, kept in sacks?—No, certainly not; it is kept in open racks; each roll of parchment separate, and labelled, and indexed with very great care and uniformity; and accessible for any person wanting it for legal or literary purposes. I believe that class is not likely to throw any light upon literary purposes, but they have been constantly resorted to for legal purposes, and they could not be said to be unarranged entirely, when contained in their worst receptacle, what was called the Ark in Westminster Hall; they were always available there, and dusted and arranged as far as the accommodation would allow. Upon their removal after a long correspondence between the Treasury and me, very great care was taken, and expense incurred by a very careful arrangement. The records of which I speak have never been out of order since; they have been watched over with very great care. There is another, but as far as the space they occupy, an inferior part, called Miscellaneous, in a very neglected condition; and to this part the labours of the Record Commission have been usefully directed. With regard to the rest, I conceive there was no necessity for any aid from the labours of the commission.

1718. Then do you mean that the commission has thrown away its time in arranging the miscellaneous records?—No; I do not mean to say that. I am inclined to believe that the miscellaneous records they have arranged have been very advantageous to the public; and have in many instances thrown light upon subjects which needed it. I only meant to say, that I think from some things that have been both said and published, an unjust opinion has gone abroad with respect to the Exchequer records generally, and those that have the custody of them, from observations that apply only to a very partial quantity of them, having been applied or implied as belonging to the greater part of the records, which is decidedly not the case.

1719. In page 71 of the Agenda you make a proposal for assigning the guardianship of the records of this branch in the Exchequer to one official head, who should possess unlimited power over all subordinate officers; was any thing done in consequence of that proposal?—Not that I am aware of.

1720. How many different persons are now intrusted with access to the custody of those records?—The only legal custos properly speaking is myself; but that legal custody, though I have said I consider it as involving all the legal responsibility attaching to it, is nevertheless a difficult matter to arrange and keep straight; because there is the necessary access of all the clerks in court, of the Exchequer, to those records; they are persons with certain vested rights, and practising necessarily in the Court of Exchequer, whose business requires that they should have access, the power of search, and copying those records; consequently there is no possibility of any head of the office preventing their having that access. I have endeavoured, and I conclude others have, to restrain it within due and proper bounds, and in the case of removal of records to improper places, and various other transactions of that kind that have occasionally

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occurred, I have endeavoured to restrain such practices, and have reason to believe that nothing of the kind does now occur or has occurred for a length of time; whenever it has been brought under my own observation, let it be by whom it will, I have immediately stopped it and prevented it; but I mention this to show where the custody is partaken by so large a number of persons, it must be to a certain degree nominal, though the legal custody is resident in the head of the office.

1721. How many persons are there that have this access?—The number of sworn clerks in my office is eight, and they have each the power of articling to himself three side-clerks, which would make 32; and there is a bagbearer, who is partly their servant and partly mine; who is in fact the man that keeps the key, and attends those officers on the occasion of searches; consequently, I should say that 33 were about the number of persons who have the power of unlimited access to these records, and who necessarily have it from their line of business. I am not aware that I omit any.

1722. Do any evils result from this large number?—I have always been in the habit of looking upon it, that the unlimited access of such a number of persons not specifically under the control of the head of the office, through whom, however, they hold their appointment under their oaths, must have led to a great deal of abuse, unless systematically looked after by the head of the office, and the correspondence I have been engaged in has led me to know how extremely nice and careful a man must be to prevent such abuses taking place; and I have therefore reason to believe, that it has led to inconvenience and difficulty; whether of the extensive nature sometimes assigned to it, I entertain some doubt; but, that it is clear some records have been missing, and others have been seen in the repositories of booksellers and individuals, which there was great suspicion to look upon, though there was an impossibility of identifying them as belonging to the Exchequer; and there is a suspicion it has led to improper practices.

1723. It is stated in a letter of Mr. Robert Thomson's, December 17th, 1832, that an application was made to you to stop the sale of certain records, at the sale of the effects of the late Mr. Craven Ord?—That, I believe, is a mistake.

1724. The letter goes on to say, that he found a disinclination on your part to interfere?—That, I think, is a mistake from beginning to end. I do not think such an application was made to me; and I am quite sure if it was, there was no expression of disinclination, except, if on an inquiry into the circumstances, I found it was impossible to identify them as Exchequer Records; but I believe no such representation was made to me, certainly none in writing; and it must have been in the loosest verbal manner, if at all. I am rather inclined to think it was not brought under my notice at all.

1725. Were Messrs. Vanderzee, Adlington and Thomson employed in arranging the records in the King's Remembrancer's Office?—I was not aware that Mr. Thomson was; Mr. Vanderzee and Mr. Adlington were employed specifically by and under the authority of the Treasury for a specific remuneration, at the time of the removal to the King's Mews. I never issued any orders to Mr. Thomson upon the subject.

1726. Those three gentlemen, being side-clerks, had of course access to the documents in the manner you describe?—Yes, one of them was a sworn clerk, and the other a side-clerk. Mr. Vanderzee was a sworn clerk of very long standing, and had been employed in the previous removals, and was supposed to be well acquainted with the records; that was my reason for fixing upon him.

1727. If Mr. Cooper has stated that Mr. Thomson, as well as Mr. Vanderzee and Mr. Adlington had your sanction, expressed or implied, he is under a mistake with regard to Mr. Thomson?—Under a complete mistake. I do not remember Mr. Thomson's name ever being brought into the transaction.

1728. Do you know whether any of the Exchequer Records were removed to Boswell Court by order of the commissioners?—I was not informed of any positive removal having taken place, but only of an intention to that effect.

1729. If it was so done, was it with your sanction?—No, certainly not; if they were so moved prior to the receipt of the authority from the Treasury for giving up the whole mass of miscellaneous records.

1730. You do not know whether any of those gentlemen removed the records to Boswell Court before that order?—I was not made aware of it; I was informed by the bagbearer that there was an intention of removing a large mass of records from the King's Mews to some other repository, I do not know where, for the purposes

purposes of the commission, which was the original cause of my interference on that part of the subject; and I issued directions to the bagbearer as the officer I have alluded to, not to suffer any records to be so moved until he heard further from me upon the authority upon which it was so done; and I believe from my confidence in him no removal did take place subsequently to that period, until the Treasury, in conjunction with the Chief Baron, had authorized the surrender of all that mass of records to the commission for the objects of the commissioners, which was a thing I recommended them to do in the report I wrote upon the subject.

1731. Had you any disputes with the commission about the Exchequer Records?—Nothing that I could term a dispute upon the subject of the office, because it did not appear to be within our province to discuss it; upon that occasion there were one or two observations made upon the office, which I conceived to be personal to myself, which I thought of no importance; it could hardly amount to a dispute that ought to be mentioned in alluding to the subject at all.

1732. Was there any difference between you and the commission with respect to the authority of the commission to interfere, or your authority as keeper of the records?—I believe none in the world.

1733. In general, what is your opinion of the interference of the commission with records in your custody, has it been judicious or otherwise?—I have no reason to suppose that the objects of the interference, and perhaps even the result of it, have been either injudicious or improper. I do not presume to offer an opinion upon the subject; with regard to the mode of its interference, of course, after the evidence I have given in regard to the Augmentation Office, and the nature of the correspondence I have held, I must have received a very unfavourable impression.

1734. Have you had reason to complain in your dealings with the commission, of a want of explicitness?—I consider that the correspondence which I have been favoured with by the commission is any thing but explicit. The first intercourse that deserves any observation of that kind arose from its being brought under my notice, that a subordinate officer in my own department was in the habit of communication with the secretary of the commission, I think this must have been very soon after their appointment, I should think in 1832 or 1833, probably without any communication with me as the principal; and that a variety of injurious statements were made, and reports circulated in consequence of facts in that communication, of which I had not a fair opportunity of judging. Upon this being brought generally under my consideration, I saw the secretary of the commission upon the subject, and I found in him upon that a disposition to communicate, as no doubt ought always to be done with the principal in the office, instead of the subordinate officers in the department.

1735. Who was that subordinate officer?—Mr. Thomson was the gentleman to whom reference was particularly made upon the subject.

1736. Was Mr. Thomson employed by the commission?—I do not know; I am not aware of the nature of their communication; it was the principle of the communication itself I objected to.

1737. Do you think it proper that a subordinate officer, or even a chief officer in a record office, should be employed by the commission as well as by the authority by which he is placed in the office?—I should say decidedly not, upon a general official principle, applying to any office whatever.

1738. In your correspondence with Mr. Cooper in a letter of the 9th of April, you dwell much upon the extreme importance of doing every thing openly and officially, and putting all transactions upon paper; have you had reason to complain that the commission did not transact its business in an official manner, and with sufficient precision?—You will observe that that letter was written under the immediate impression of having been referred for the authority, on which a given transaction took place, to a source which disclaimed having given it; and knowing that the reports and correspondence were likely to be printed in sources to which I had no access to ascertain their correctness, I thought it extremely necessary, looking at the commencement of the transaction concerning the Augmentation Office, that every thing should appear to emanate directly from the board, and as much in an official and explicit shape as possible; the tone of that letter originated both in that desire very necessarily felt on my part, and also the very peculiar circumstances under which I addressed the communication.

1739. Have you found in your dealings with the board, through the secretary,

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that it was difficult for you to distinguish what was done under the secretary's own authority, and what was done under the authority of the board?—I considered it was difficult so to distinguish. I received no minute of the board, and no reference was made to any minute of the board, as is usual with the boards I have had correspondence with; and there did not appear to be any thing that indicated it to be an official act. The whole tone of the correspondence was such as frequently convinced me it did not emanate from the board; some of the letters were written in a form that certainly did not indicate official authority, as was the case with some of my own.

1740. Have you had any correspondence with the secretary upon the subject of the Augmentation Office since the late transference of the records there to your custody?—Yes, I have. Upon the occasion of its being placed in my hands I wrote a letter, enclosing a copy of the Treasury letter and minute, informing me of it, to the secretary of the commission, thinking it necessary to inform him of the subject at the time I took possession; I received a letter from him in reply; I have it not by me, but I believe it involved no particular point.

1741. Did you ever show Mr. Protheroe that correspondence?—Yes, I did; I submitted it all to him.

1742. Under what circumstances did you submit it to him?—He wrote me a note, desiring I would call upon him, which I did, and I saw beyond a doubt, from the tone of the conversation, that a very erroneous impression remained upon his mind of the nature of the intercourse between myself and the Record Commission; he seemed to think that, in some cases, its proceedings were justified, from a negligence which I almost thought he deemed wilful; and I found that he was in what I considered an error upon the general complexion of our correspondence; upon which I begged leave to suggest to him not to trust to any explanation of mine, but to peruse the whole of the papers, which I would lay before him, and which I did.

1743. Did he express any opinion upon the subject?—In general terms he expressed an opinion, that the correspondence was not such, in point of tone, as it ought to have been.

1744. Had you reason to complain of the tone yourself?—I very much disliked it.

1745. What part of the correspondence do you dislike the tone of; that part which has been laid upon the table of the Committee?—I do not know the amount of the correspondence that has been laid upon the table; but there were two or three disagreeable circumstances in the correspondence that I objected to; one of the things that dwelt most upon my mind was, that in one of the reports of the secretary of the Board to the Treasury, some remarks I had made upon the records, anterior to the removal, were made to apply to them subsequently. The observations made to myself personally were of a kind, though I did not attach any great degree of importance to them, which made me desirous of avoiding the correspondence as much as possible, and wishing to have it pass through the Treasury or the Court.

1746. Then, as a consequence, you have declined correspondence with the Commission, except through the Treasury?—I have endeavoured, as much as possible, to avoid all communication that led to action or result, without having authority communicated to me through those sources; I am not aware that I have absolutely declined or refused to pay attention to any communications, because that did not appear expedient; but my wish and anxious desire was to avoid communication as much as possible, from the nature of the correspondence which had taken place, the impression produced by which really depends upon so many matters difficult to explain, that I thought a reference to the correspondence itself was the only mode of making Mr. Protheroe acquainted with my feelings upon the subject.

1747. Have you any objection to lay the correspondence before the Committee?—I have not the slightest objection, so far as I am concerned, and I do not suppose there can be any objection on the part of the Record Commission or the secretary.

1748. Have you heard any thing of the proposal to transfer the Cornish Records from the Augmentation Office to the custody of the Duchy of Cornwall?—I heard of it as a mere matter of report; it has not come before me officially, in any way.

1749. You have not become officially acquainted with the fact, that a correspondence

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spondence was for some time carried on between the Duchy of Cornwall and the Commissioners, upon the subject of the removal of those records?—I think not; I remember hearing the subject alluded to, and making inquiries upon the subject, but I doubt if any thing has come before me officially; but I would not speak positively, because the subject does not strike me as new to me.

1750. Is there any subject connected with the custody of the records or the state of them, on which you have any statement to make to the Committee?—Not that I am aware of; I do not know that I have any thing to say that will throw any light upon the objects of the Committee.

1751. Did the secretary ever make any communication to you upon the subject of the records said to have been sold in the library of Mr. Craven Ord?—No, certainly not; I had a communication with the secretary upon the subject of some records in the possession of booksellers; but that was subsequently.

1752. On the 9th of March 1833, records formerly in the Exchequer, and which were sold as part of the library of Mr. Craven Ord; were brought under the notice of the commissioners?—They must have been in the possession of booksellers, who purchased them at the sale of the effects of Mr. Craven Ord, which took place long previously.

1753. A statement upon the subject was made to the board, and printed in the notes of business; did you ever see such statement?—Not that I am aware of; I do not think I was ever made aware of any thing that was ever printed by the board in their Agenda. I am aware of certain extracts made from a report in a pamphlet that was published and brought under my notice; they were garbled extracts of my own reports, calculated to produce a thoroughly false impression upon the public mind, and that I had stated what was not true. That was the only information I had of what was printed by the commission; I felt a strong opinion upon the subject, because I saw a reference to proceedings printed in the Agenda containing half the report, stating all that I had said against the condition of the records, without stating any part of what I had said had been done for them to preserve them; and that pamphlet I considered a very disgraceful statement. There was no name to the pamphlet, and I did not express any opinion upon the subject; but it contained extracts from a report of mine that had never been published or returned to Parliament; and I therefore considered it to have emanated from some source connected with the commission, and which certainly gave me a very unfavourable impression.

1754. Mr. *Hawes*.] I will just read an extract from the minutes of the board:—"Records formerly in the Exchequer sold as part of the library of Craven Ord, Esquire, first Secondary in the King's Remembrancer's Office: produced a statement on this subject." That is printed in the minutes of business, did you ever hear of that statement?—Not that I know of. I beg to be understood as having heard of the sale of certain records at the sale of Mr. Craven Ord's effects. I have heard it alluded to in conversation, though never officially brought under my notice. I was not aware that a communication had taken place upon the subject; all that I recollect upon it is that there was, as in the former case, an impossibility of identifying them as Exchequer records. I believe one thing done by the Record Commission is a very valuable thing; that is, stamping all such records as they have sorted and made use of; that will certainly tend to secure the records from any thing of the sort in future.

C. P. Cooper, Esq. called in; and further Examined.

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1755. The *Chairman*.] HAVE you any further statements to make upon the subjects upon which you have been previously examined?—Yes; in the early part of my third day's examination, I was asked by Sir Matthew Ridley, whether, in my judgment, it would take the sum of 100,000*l*. to complete the calendars of the records at the Tower; to which question I replied, in confirmation of the statement already made by me, that I believed it would take some such sum. Now the consideration of the amount of expense requisite for completing the calendars has had so great an influence upon the proceedings of the commissioners, that it has been suggested that it is expedient that the Committee should be put in possession of some more accurate estimate than that which my recollection supplied me with, when the subject was unexpectedly started. In consequence, I have desired Mr. Stevenson to examine the data furnished by the return of Mr. Petrie, made in 1831, and to calculate what would be the cost of

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perfecting the calendars of all the records preserved at the Tower. This calculation has been made, and I will take the liberty of detailing the particulars to the Committee:—Mr. Petrie, in the return made by him to the board, states, that the calendar of the Patent Rolls, from the 39th of Henry III. to the end of that reign, will require the uninterrupted labour of one person for at least two years. Supposing that the individual so employed had a salary of 250*l.*, the calendar of the Patent Rolls, from the 39th of Henry III. to the end of that series in the Tower, would cost 15,750*l.* Presuming that the Close, the Liberate, the Fine, and others of the regular series of Chancery Rolls, are one-fifth shorter than the Patent Rolls, the calendars of these would require an additional sum of 35,650*l.* Presuming that the Miscellaneous Rolls, Writs, Privy Seals, Letters, Inquisitions, Chancery proceedings, and other miscellaneous documents in the Tower, contain six times as much matter as the regular series of rolls (a calculation which is below rather than above their apparent extent), the calendars of those would demand 314,400*l.* From this it appears that the formation of calendars of the records in the Tower, inclusive of the Patent Rolls, would cost the sum of 366,800*l.* This estimate, it will be seen, is much more than the triplicate of mine, and for an obvious cause, namely, that I omitted to allow for the great increase in the yearly matter of the rolls from the reign of Henry III. downwards. The Committee will now be better able to appreciate the reason that has induced the board to leave the formation of the calendars of the long series of rolls to the ordinary diligence of the gentlemen belonging to the Tower establishment, whose duty it is to continue such calendars whenever they are not engaged in making searches or copies for the public. It was useless for the commissioners to undertake a task to which the whole of the money granted by Parliament since 1800 would have been inadequate. But nevertheless, the work of calendaring at the Tower has not been altogether neglected. For although nothing could be achieved as regards the long series of rolls, the arrangement and calendaring of the miscellaneous and unsorted records, which are very curious and interesting to the historian and antiquary, did not appear to be altogether beyond the power of the board; and this operation I have before stated was begun about three years ago, and has been regularly prosecuted ever since. It would not be difficult to show that the result of such operation must be infinitely more beneficial than if the time and money expended in it were bestowed upon any other portion of the records.

1756. You have stated in one of your preceding examinations upon this subject, that the expense of providing an index personarum and an index locorum to these records would be as great as that of providing calendars?—I do not recollect that statement, as applicable to all the records. There is a very great difference between an index and a calendar; a person capable of indexing may not be able to calendar.

1757. How do you distinguish a calendar from an index?—In the former part of my examination I have stated that a calendar is an abstract of each document: an index sometimes gives the names of places, and sometimes of persons; other indexes furnish names both of persons and places; but there are indexes merely pointing out the record or entry on the roll.

1758. Might you not, then, have made indexes to all those records at the Tower, at a much less expense than this estimate of the calendars?—I think that you might make an index locorum et personarum, to some records, at a smaller expense than you could make a calendar; an inferior talent may be employed upon the first kind of work: but with regard to all the earliest records an index would be almost useless.

1759. Will you explain why?—If the Committee will take the trouble to turn to the published volume of the Close Rolls, or the Patent Rolls, they will see that it would be impossible for an index to convey to the historian, the topographer, or the antiquarian the information afforded by the very short entries there contained; indeed as regards all the rolls of John, and almost all those of the reign of Henry the Third, I would have no attempt even to calendar; the rolls themselves should be printed *in extenso*.

1760. Why should not an index of those documents be as useful as an index of documents at the Rolls Office?—The entries are, for the most part, of an entirely different character.

1761. Still it must be as useful to know who the persons and what the places are, and the matters contained in them?—The earliest rolls are chiefly important,

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as containing matter useful to the historical inquirer; the later rolls, as those at the Rolls Chapel, are principally useful to the lawyer and the record agent; for their purposes it is undoubtedly very convenient to have indexes locorum et personarum. You wish to ascertain some fact connected with a real estate, or to discover a lost link in a pedigree, and an index points to the inquisition or other record that furnishes the information of which you are in search.

1762. Is not an index a great assistance?—An index would be of assistance in such cases as I have just mentioned; it is too of great assistance in consulting a printed book: but no one, in furnishing to Mr. Hallam or Dr. Lingard an index to the Close Rolls of John and Henry the Third, would imagine that it could be of any service, unless accompanied by a full copy of the record, to facilitate its use.

1763. I am not supposing you give nothing more; but would it not be useful in the same way as the index to the printed Close Roll?—I think it would be a waste of public money to print any such indexes to the rolls of John and Henry the Third, apart from the entire text.

1764. Have you found indexes to any other rolls?—In many offices it will be found that indexes have been formed to the modern rolls, resorted to for legal purposes merely.

1765. What was the other statement you had to make?—The inquiry into the fees and emoluments of officers and clerks having the custody and management of the public records forming an additional feature in the present commission, and, moreover, having, as will appear, both by publications of the secretary and the printed Agenda, been for some time considered (no doubt from that circumstance) as one of the most important of the duties enjoined by His Majesty, some members of the board have desired me to furnish the Committee with more specific information, relative to the fees payable in the principal record offices, than has yet been laid before it, in order that all doubt may be removed as to the supposed necessity of the commissioners taking any immediate steps to reduce the amount of such fees, either as regards searches or copies. It has been suggested that I should state to the Committee what are the fees that can be legally demanded in each office.

1766. Do you wish to make this statement in consequence of a communication with the commissioners?—I have had no communication with the commissioners as a board.

1767. In consequence of a communication with any of the commissioners?—Which statement do you allude to?

1768. The statement you have just spoken of?—On Saturday I saw three members of the commission, who have very regularly attended at the boards, and it is principally in consequence of my conversation with them that I am desirous of being permitted to make a more full statement respecting the fees that can be lawfully demanded in the different offices.

1769. You have done this in consequence of a communication only with three of the commissioners?—I have only seen three.

1770. Who are those?—Mr. Hallam, Mr. Allen and Mr. Petit, are the three I have seen.

1771. Who is the keeper of the King's Bench records?—There are various officers in the Court of King's Bench who have the custody of records. I believe the principal are the Master of the King's Bench, the Clerk of the Crown, the Clerk of the Papers, the Clerk of the Rules, the Clerks of the Treasury, the Filazer and the Clerk of the Errors.

1772. Where are they kept?—The bulk of the King's Bench records were formerly kept in a room adjoining Westminster-hall, opposite the east end of Saint Margaret's church. It was fitted up as a record repository by Sir Christopher Wren; but it is now used for the sittings of the Rolls Court during term. The records have been removed to the Rolls-house in Chancery-lane.

1773. In what state are they there?—They are in a good state.

1774. Are they well arranged?—I believe them to be well arranged.

1775. It is stated in the Agenda, page 283, in the Survey of the Records Offices, by Sir Robert Inglis and Mr. Hallam, that in two of the rooms at the Rolls-house are heaps of unsorted papers, are those the records of the King's Bench?—I do not recollect to have seen those papers.

1776. The Bagga de Secretes is a record of the King's Bench?—It contains records of some proceedings of that court.

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1777. What is the nature of the documents contained in that?—I cannot accurately describe them, without reference to the returns.

1778. Are they of importance?—From the lapse of time, I much doubt whether they are now of importance. They are, if I recollect right, supposed to be records of attainder for high treason, &c.; they relate to the title of the Crown to forfeited estates.

1779. It is said that the keys are kept by the Lord Chief Justice, the Attorney General and the Custos Brevium; and it is stated that the place in which this Bagga de Secretes is kept is not fire-proof?—The Rolls-house is not fire-proof.

1780. Do you know where the calendar and indexes to those records of the King's Bench are kept?—I am not aware whether they are kept in the Rolls-house or in one of the other King's Bench offices.

1781. Have you had any complaints made of the inconvenience of having the records in one building, and the calendars and indexes in another?—No complaint has, I believe, been made to the board; if there was cause of complaint made, the parties aggrieved would no doubt address themselves to the Lord Chief Justice. All the records belonging to the Court of King's Bench (I except the more ancient ones, which are at the Chapter-house and the Tower) are under the constant superintendence of the Judges of that tribunal, who have from time to time framed suitable regulations respecting them.

1782. Do you mean, that the commission has less authority or less business to discharge its duties with regard to this class of records than others?—There are no records whatever in any of the offices attached to the King's Bench, that, in my judgment, require the interference of the board.

1783. Should you not say that the want of an accessible calendar and indexes was a matter that required the attention of the board?—If any are wanting, if there be impediments in this respect to the progress of actions, it is for the Judges to give directions, rather than for the commissioners.

1784. Was not one of the objects of the commission to provide good calendars, and to provide convenient buildings?—One of the objects of the commission is undoubtedly to assist in framing calendars to the records in certain offices; and this object has not been lost sight of. I am quite at a loss to know, however, how the commission can provide convenient buildings. It may do much, and has done much in the way of recommendation, but it has neither power nor funds to effect a hundredth part of what may be desirable as regards either calendars or buildings. With respect to the records of the Court of King's Bench, I believe there are sufficient indexes to the modern ones. Indeed I do not see how the daily business could proceed without such indexes. As to the more ancient records, I would refer the Committee to the remark made in the Report of the Custos Brevium to the Select Committee of 1800, it will, in my judgment, equally apply to many of the other offices of this court. In answer to the inquiry, what would be the expense and time of making catalogues and indexes of certain records, such catalogues and indexes being deficient before the year 1656, that officer says it would require the constant labour of many persons for many years, who must understand the languages they are in, the ancient abbreviations and the court and other hands anciently used, as well as have other qualifications of which there were at that time very few found to be possessed; and he adds, by far the greater part of such indexes, if made, would be useless, as the records chiefly relate to entries of an immense number of suits, actions and partial proceedings immaterial in themselves at this period.

1785. Then, if it has been stated by a solicitor much employed in this business, that these records are of great importance in legal inquiries, you suppose that to be inaccurate?—Before I ventured to affirm that such a statement made by such a person was inaccurate, I should like to know to what species of records the statement was meant to apply.

1786. The records of the King's Bench generally, do you suppose that they are not of great importance in legal inquiries?—We all of us have a general notion of the nature of the modern records of the Court of King's Bench. They are daily resorted to, and, I believe, without difficulty. As to the older records of the Court of King's Bench still kept in its offices, with great deference to the opinions of attornies and record agents, they are almost the last class of records to which, under existing circumstances, I should think of providing calendars or indexes.

1787. Do you know that the only indexes to those records are the Docket Rolls?—

Rolls?—I believe that in the Court of King's Bench the indexes to many of the records are the Docket Books, and those I have always understood to be sufficient.

1788. Do you suppose them to be satisfactory indexes?—The Returns that have been made to the board from the different offices of the Court of King's Bench do not show, as far as I recollect, that any thing is necessary to be done in this department, in order to render the use of the records more convenient to the public.

1789. And you have considered that information you have received from the keepers of the record offices as enough to satisfy you upon this subject?—I have so considered in the case of such offices as those belonging to the Court of King's Bench. I hold in my hand the answers of the Clerks of the Papers of the court to the questions of the commissioners. Those answers afford a fair specimen of many of the returns. They state that the several sorts of manuscript books and papers in the custody of the office of clerks of the Papers in the Court of King's Bench, are the several special pleadings in actions brought in the said court, and the books in which the names of the parties to the said pleadings are numerically entered; that the pleadings appear to be complete, with few exceptions, since the year 1786, and are in a good state of preservation, being arranged by the several terms in the year; that the books in which the pleadings are numerically entered are complete since the year 1759; that the clerks employed in the several duties of the office arrange the said pleadings, first entering them in the books and then filing them; that the office is open for that purpose, and to perform the other duties thereof in term time, from ten o'clock in the forenoon until two in the afternoon, and from five until nine in the evening, and part of the vacation the same hours in the morning until eight in the evening, other part of the vacation from ten in the forenoon till two in the afternoon only; that the said clerks do not receive any salary from the public, but are paid by the clerks of the Papers, neither is there any fee paid for any search; when copies are made of the said pleadings (which are done for the parties in the cause), 4*d.* per sheet is paid for them, &c.; that the clerks of the papers are intrusted with the care of the said books and papers, whose duty it is by themselves and clerks to attend upon every search, and to take care that each paper be respectively and duly restored to its proper place; that the clerks of the Papers are not aware that there are any matters not comprised in the questions transmitted to them, which it is necessary or expedient to observe upon, for rendering the use of the said manuscript pleadings and books more convenient to the public; they beg leave, however, to observe, that all the said pleadings in causes that proceed to issue are finally engrossed on parchment, and filed of record in the Treasury. Now, if in such an office as that from which this Return has been made any thing be wanting, the defect should, I apprehend, be supplied by an order of the Court of King's Bench, the judges of which, if they perform their duty, might not, without reason, consider the interference of the Record Board as meddling and impertinent with reference to records daily resorted to, and without which no jurisdiction could be exercised.

1790. But if it is stated in the commission that it is the business of the Record Commissioners to provide calendars and indexes, why is not it as much their business to provide them for the King's Bench, as well as any other?—The object of the commission is, as I apprehend, confined principally to those offices where there are collections of records of ancient date, valuable for historical, antiquarian, genealogical and topographical, rather than for legal purposes. It was not the intention of those with whom the commission originated, that the board should perform duties which ought to be discharged, and which may be discharged by the various officers belonging to the Court of King's Bench. Undoubtedly, the inquiries of the board are properly extended to all the offices, libraries and other repositories in Great Britain, where records and manuscripts are kept, but on the expenditure of the funds intrusted to it, a selection must be made.

1791. What was there in the formation of the commission, or in the terms in which the Royal Commission is couched, that leads you to suppose that the object of the commission was rather to give assistance to historical and antiquarian inquiries, than to put those documents in a shape in which they might be accessible to those who wanted them for legal purposes?—The commission has been always so construed. The old commissions, for thirty years, were so construed.

1792. There is nothing in the wording of the commission that justifies that, is there?—I am of opinion that there is quite enough in the commission to

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justify this construction; the commission should be construed with reference to the Report of the Select Committee of 1800, and the Address of the House of Commons that followed it.

1793. Should you, as a lawyer, construe the Royal Commission with reference to a Report of a Committee of the House of Commons?—If the commission clearly arose out of a Report of the House of Commons, as a lawyer, I should unquestionably look to such Report, if I had any doubt of what were the objects of the Commission.

1794. If the words of the commission are clear, do you think you should look at the words of the Address or Report of the Committee, to explain the words of the commission?—Even supposing the words to be clear, yet if I found that the apparent objects were wholly unattainable, by any means placed at the disposal of the commissioners, I should certainly look at such Report and Address, in order to ascertain what the real objects were.

1795. Do you consider that the objects in the commission, as specified in the wording of the commission, are unattainable?—I do, according to the construction now attempted to be put upon the words of the commission.

1796. Do you mean that you consider, from your interpretation of the words of the commission, that it would be utterly impossible to do any thing towards facilitating the access of legal inquirers to those records?—When I state that the objects are unattainable, I assume that one of those objects is such as the Chairman seems to understand, from the questions put to me, namely, the formation of calendars and indexes, not only to certain records at the Tower, the Rolls Chapel, the Chapter House, the Augmentation Office, the Pipe Office, the Lord Treasurer's Remembrancer's Office, and the King's Remembrancer's Office, but to the masses of records in all the offices, including those in which suits and actions are hourly arising and proceeding. According to this construction, every Record Office in England, Wales and Scotland is equally entitled to the care of the board with the ancient repositories of the metropolis.

1797. You think, then, that the object of aiding the legal inquirer is wholly without the reach of the commission; but that the object of aiding the historical and antiquarian inquirer is within its being?—No, by no means; nothing is further from my impression of the duties of the commission than that the legal inquirer is not to benefit from its labours at all: the records at the Rolls Chapel are chiefly consulted for legal purposes; and the board has done all that, in the absence of a legislative enactment, can be done for facilitating the access to them; the same observation applies to the Augmentation Records, and, perhaps, to some others.

1798. But, because you think that the object of aiding the historical inquirer is so much more easily attainable than that of aiding the legal inquirer, you are of opinion that the first ought to be made the chief, and the other entirely a secondary object of the commission?—I am of opinion that repositories such as the Tower and Chapter House, were meant to be the scene of the operations of the board, and not the King's Bench or Common Pleas Record Offices.

1799. You stated generally that the object with which that commission was formed was rather to aid historical and antiquarian researches than the legal inquirer?—Perhaps it will be better to state, that, looking at the changes in the laws relating to real property, and particularly the law of tithes, the result of the labours of the commission will be more beneficial to the historian and the antiquary than the lawyer; and, after all, I believe that this was the intention of Parliament and the Sovereign; certain it is, that, for 30 years preceding the issuing of the present commission, the attention of the board was directed almost exclusively to the Chapter House, the Augmentation Office, the Tower, the Rolls Chapel, and the General Register House, Edinburgh; I ought to mention too, that the British Museum, which will not, I suppose, be classed with record offices, has greatly profited by the old commission, which devoted no small part of its funds to the publication of the Lansdowne, Cottonian and Harleian catalogues.

1800. Then you have been influenced by the size of the office, and the quantity of documents contained in it than any other circumstance?—The commissioners have been influenced rather by the nature of the records. In the courts of common law (with the exception of some branches of the Exchequer) and in those departments of the Court of Chancery where the suits are proceeding, little assistance has been given; and I have more than once stated the reason. At the

Chapter

Chapter House, Augmentation Office, King's Remembrancer's Office, Tower, Rolls Chapel and Duchy of Lancaster Office, the proceedings of the commissioners will show that extensive operations have been carried on under their authority.

1801. Of the records in the King's Bench Office have any transcripts been made?—It would be a useless expense to transcribe them.

1802. Has any thing been done about the fees?—The fees at the Court of King's Bench are regulated by the Judges of the Court. They are the fees recommended to be taken by the Fee Commissioners in 1818.

1803. You have no one employed by the commission upon these records?—No.

1804. In the Lord Treasurer's Office have you any one employed belonging to the commission?—No; at the board of the 11th February 1832, it was stated, as appears from the minute books, that there were great hopes of an arrangement being effected with Mr. Panton and some other gentlemen for sorting and cleaning the records in that department. By the records the miscellaneous records are meant. The negotiation for effecting such arrangement was interrupted in consequence of the misunderstanding which occurred with Mr. Vincent, when the records of the Lord Treasurer's Remembrancer were united to those of the King's Remembrancer.

1805. Then something has been done by this commission with regard to the arrangement of the records in that office?—My impression a few days ago was, that something had been done; that the sorting of the miscellaneous records was commenced, but immediately discontinued in consequence of the misunderstanding already mentioned. I believe, however, that this impression was not correct. All that the board has effected with respect to the records of the Lord Treasurer's Remembrancer's Office is an improvement in the repository. They are kept in some of the vaults under the east side of Somerset-house. Respecting this repository, it was reported to the commissioners to be dry and free from damp, but that flues were continually lighted to keep it so; and that the rooms had been deprived of a free current of air so essential to the preservation of the records by a wall lately erected by King's College, which had blocked up the windows on one side. In consequence of an application made by the board, the vaults containing these records and those of the Pipe Office were minutely examined by the surveyor to the Board of Works, and under his direction new windows were opened to improve the ventilation. Most of the records of the Lord Treasurer's Remembrancer's Office are in a good state of preservation, and they are all arranged by reigns, and may be found with great facility, with the exception, of course, of the miscellaneous records. With respect to the fees for searches and copies, if they be exorbitant, it is for the Treasury and the Barons of the Exchequer to reduce them. Their Lordships have the same authority with reference to these fees as they possess with reference to those of the Pipe Office. I alluded to the Act giving this authority, when I was examined respecting the Pipe Office. I have now brought the Act with me. It is the 3d & 4th of The King, c. 99. The 47th section contains these words, "Be it further enacted, that searches may be made, and copies or extracts of and from the said records, books and documents shall and may be had and taken at such times and in such manner, and upon payment of such fees as the Lord Chief Baron and the other Barons of the said Court of Exchequer, together with the Lord High Treasurer or the Commissioners of His Majesty's Treasury shall or may direct." Now the said records, books and documents are those of the Lord Treasurer's Remembrancer and the Clerk of the Pipe. The recent decision of the Treasury shows, that the Augmentation Office records are also comprehended. The fees for searches and copies in all these offices were regulated by the Royal Commissioners of 1822, and I have always understood that the Lords of the Treasury and the Barons of the Exchequer have seen no occasion to make any alteration.

1806. Where are the records kept belonging to the land revenue?—They are in Spring Gardens. There is a recent Act, some of the provisions of which are important with reference to these records. That Act is the 2d of William IV. c. 1; it is intituled, "An Act for uniting the office of the Surveyor General of His Majesty's Works and Public Buildings, with the office of Commissioners of His Majesty's Woods, Forests and Land Revenues, and for other purposes relating to the Land Revenues." The Committee will find upon referring to that Act, that the office of Auditors of Land Revenue in England has been abolished, and the office of Auditor for the Principality of Wales had become extinct. In consequence, the Lords Commissioners of the Treasury are not merely empowered

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but required to provide a proper building for the reception and custody of the records, deeds, instruments, papers and writings belonging to these departments; and they are to appoint a proper person to be keeper of the same, and are to make rules and regulations for the execution of the duties of his office; and the expenses of providing a building and carrying on the business of the office are to be paid out of the produce of the fees thereinafter mentioned. Then comes the section relative to the fees. It is enacted by the 22d section, "that such fees shall be paid for searches in the said office of Land Revenue Records, and for office copies furnished by the same office as the Lord High Treasurer, or the Commissioners for the time being of His Majesty's Treasury, or any three or more of them, shall from time to time appoint, yet so that such fees shall not exceed the amount of the fees which have been used and accustomed to be taken upon the like searches, and upon the furnishing of the like office copies." Some time had elapsed from the passing of this Act of Parliament without a building being provided for the reception of the records, or a keeper appointed for the care of them; and upon the attention of the board being drawn to this circumstance on the 30th of March 1833, it was ordered, "that the secretary should write to the Lords Commissioners of His Majesty's Treasury, and remind their Lordships that no proper building had been provided for the reception of those records, and no proper person had been appointed as keeper thereof pursuant to the Act of 2 William IV. c. 1." The secretary accordingly wrote to the Lords of the Treasury, and a keeper was appointed, and I believe a temporary building provided.

1807. Has a proper place for their deposit been found?—The records are all, or for the most part, in Spring Gardens.

1808. Where in Spring Gardens?—I was never in the house; I believe it is not meant to be the final repository. It appears from a report made to the board some time in 1834 respecting these records, that the subject of procuring a general repository for the reception of the whole of them (some being then in Spring Gardens, others at the Mews, and those for Wales still in Old Palace Yard) was then under the consideration of the Treasury. I believe no proper repository has yet been found for all these records.

1809. Are not a great part of them in Carlton Ride?—Some portion of them may be.

1810. Some of them were in the King's Mews?—Yes; the last communication I have received respecting these records is dated so recently as the 29th of February, but it is not very explicit. It states that the records lately belonging to the Land Revenue of England and Wales are in the custody of Mr. Fearnside, of the Land Revenue Office, Spring Gardens, and that some of them are in a good and arranged state, and others of them are not so. Mr. Fearnside was appointed keeper of these records, in consequence of the representation of the board already mentioned.

1811. Are you aware at the time they were at the King's Mews, when Mr. Hallam and Sir Robert Inglis, in their survey of the offices, visited that building, they omitted to take any notice of those records?—They were in the same room with the general Exchequer records, in the recess of one of the windows as you went into the right. I do not remember whether they are noticed by Sir Robert Inglis and Mr. Hallam in their report. They were extremely insignificant in number, in comparison of the other records.

1812. They are at present in a very bad state of arrangement?—Some of them are arranged, and others not.

1813. Are you aware that the whole of them were, at the beginning of the present century, in a good state of arrangement?—I do not recollect. The returns of 1800 were very full; but I much doubt whether the whole of the records will be found to have been arranged. I have a return made to the board, the 30th of December 1831, which shows the state of the records of the Land Revenue for England immediately after the removal to the King's Mews.

1814. What was that?—The returning officer says, there can be little doubt that those records, bound up in volumes, and preserved in the office building, have not suffered injury since the year 1800. The care and labour bestowed upon those which were cleaned, sorted and arranged by Mr. Richards and Mr. Hewlett, prevented the entire destruction into which many of them were hastening; but these records having been twice removed, and exposed on those occasions to the summary means of access which builders and carpenters were enabled to employ, it can scarcely be expected that they should have escaped wholly unimpaired. Upon

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reference to the proceedings of the old board, it will, I am convinced, turn out, that much was done by it for cleaning, preserving, sorting and arranging those records.

1815. Mr. *Hawes.*] When Sir Robert Inglis and Mr. Hallam visited those repositories, they made a special report, did they not?—Which is printed.

1816. You cannot recollect whether it stated the condition of the records in the King's Mews?—It gave many details as to the records at the King's Mews; but it is not likely that it has noticed specifically those of the land revenue for England. They were in the recess of one of the windows, and boarded up. The Welsh land revenue records were still in Old Palace Yard. Sir Robert Inglis and Mr. Hallam probably supposed the records in question to be some of the miscellaneous records of the Exchequer which were in the recesses of other windows, and boarded up in like manner. It must be remembered, that all those Land Revenue records came under the general description of Exchequer records.

1817. The *Chairman.*] There is the Welsh Auditor's Office, is there not?—There was. The office is extinct, as I have already mentioned.

1818. Where are the documents of the Welsh Auditor's Office kept?—They were, until lately, in a small room, part of the old Exchequer, contiguous to the Thames. I believe they are now in Spring Gardens; but I cannot tell, without referring to my memoranda.

1819. Are there any important documents among them?—There are some few important documents. There are none prior to the reign of Henry VII.

1820. What state of arrangement are they in?—Partly arranged, and partly unarranged.

1821. Has any thing been done towards the arrangement by the commissioners?—Like many other records, they have never been in any repository in which any measure could well be taken for improving any defect in the arrangement of them. All that the commissioners could do has been done. A general superintendence has been exercised, so as to prevent injury or spoliation. A keeper, too, has been appointed, at the instance of the board; and the records have been removed either to Spring Gardens or Carlton Ride, I do not remember which.

1822. Has the commission done any thing to the records of the Exchequer of Pleas?—The Exchequer of Pleas is one of those offices in which actions are daily commenced and carried on; I doubt much whether any measures are wanting in this and many other similar offices, to render the records more useful. It is probable, that the oldest officers cannot recollect a search, in any records of this office, that are of ancient date. To the modern records, references can easily be had, by the docket books, which are alphabetically arranged. It would, in my judgment, be to throw money into the river, to make calendars or indexes to those records. The fees connected with the records of the Exchequer of Pleas are all regulated by the Barons of the Exchequer. They are those recommended by the fee commissioners, in their report upon the Court of Exchequer, dated February 1822. Mr. Baron Park is one of the record commissioners, and he has never suggested that the attention of the board ought to be directed to any such office, as the Exchequer of Pleas.

1823. With regard to the Common Pleas Records, has any thing been done by the commission?—I will read to the Committee what in the opinion of the Prothonotaries of the Common Pleas was necessary to be done 35 years ago with reference to indexes. In their office are deposited the records of causes instituted in this court. In the Return to the Select Committee of 1800, they state as follows:—"We are of opinion, that to render the use of the records of our office more convenient for the public, an alphabetical index to the Docket Rolls is absolutely necessary, because the entries of the various causes therein have heretofore been, and are at this time made indiscriminately, without any regard to alphabetical or numerical order, either of parties' names, number, rolls or otherwise; by which means any person employed in a search in them is under the necessity of going through the dockets of all the three prothonotaries to find the entry of any one cause, whence the labour, time and expense consumed in searching a document in such a confused state is immense, when compared with the facility, expedition and certainty with which they might be searched if an alphabetical index to the causes contained therein by the plaintiffs' surnames were made." The Return then proceeds:—"The Docket Rolls down to the year 1770, according to a computation lately made, are supposed to amount to 23,000; the making of an alphabetical or other index to the causes entered on those rolls by

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the ordinary or any possible diligence of all the persons usually employed in our office, would be utterly impracticable; and the shortest time within which such an alphabetical index to the several causes contained therein could be made by a manager of the work, and five able assistants, (the major part of whom should be versed in the language and characters of ancient legal writings), we think would be seven years, as in the making of such an index they would require a thorough and attentive perusal of all the entries on those rolls." Now, supposing this work of making an alphabetical index to 23,000 docket rolls of one office in the Court of Common Pleas could have been completed in the time here specified, it would have cost upwards of £.10,000, money which nobody will persuade me would have been judiciously laid out. I do not know what has been effected in this office since 1800, but I presume whatever inconvenience was formerly experienced has been remedied by orders of the judges. If it has not, Sir John Bernard Bosanquet, who is one of them, as well as a Record Commissioner, would not have failed to bring it to the notice of the board, had he supposed it to be an inconvenience of which the board ought to take cognizance. I again must remind the Committee, that if such offices as these are to participate in the funds of the commission, there are hundreds of others that possess an equal claim. To say nothing of the provincial and Scotch offices you have in London, in the Court of Common Pleas, the offices of clerk of the Essoigns, clerk of the Warrants, of Custos Breviums, the Filazers, the King's Silver, the Chirographers, &c.: in the Court of Exchequer you have, besides the offices which have been the specific subject of examination, the offices of the Auditors of Receipt, of the Four Tellers, of the Chamberlains, of the clerk of the Foreign Estreats, of the Comptroller of the Pipe, of the Foreign Apposer, of the clerk of the Nichills, of the Auditors of Public Accounts, of the clerk of the Errors in the Exchequer Chamber, of the Surveyor of the Green Wax, the Alienation Office, &c.; many of these small Exchequer offices have been abolished, but the records of them exist distinct in other departments. I hold in my hand returns to the board from almost all the offices I have mentioned. I have already named the different offices in the Court of King's Bench where there are records. The Chancery offices that, in the view now taken, may demand a share of the money granted by Parliament to the Record Board are extremely numerous. Some offices connected with the Court of Chancery have made no returns to the circular questions, as those of the Cursitors, Prothonotary, Register of Affidavits, clerk of Inrolments in Bankruptcy, Patentee concerning Bankruptcy, clerk of Letters Patent, clerk of Dispensations, clerk of the Custody of Idiots and Lunatics, most of these offices no longer exist. I have here returns from the following offices:—the clerk of the Crown, the Six Clerks, the Accountant General, the Masters in Ordinary, the clerk of Inrolments, the clerk of the Hanaper, the Examiner, the Master of Reports, and the clerks of the Petty Bag. Respecting this last office, that of the Petty Bag, some inquiry was, if I mistake not, made on a former day. The building is in the Rolls Yard, Chancery-lane, and was erected in 1812, the expense being defrayed out of the Suitors' Fund. The room where the records are kept is fire proof. There is space enough at present for the records. There are tolerable calendars and indexes.

1824. Are you aware, that in that office there is a great deal of information about charities?—Yes, there is. The Inquisitions and Decrees of the Commissioners of Charitable Uses under the statute of Elizabeth are kept there.

1825. Is this information accessible?—I believe it is all accessible, I never heard any complaint respecting that office.

1826. Do you know whether the documents in that office have been ever used?—They are often used.

1827. Are they used by the present charity commissioners?—I am not aware. The proceedings of the commissioners of charitable uses form only a part of the records of this office.

1828. Are you aware of the fees for consulting them?—The fees differ slightly from those fixed by Lord Chancellor Hardwicke, and Sir William Fortescue, Master of the Rolls. The fee commissioners reported upon this office in May 1818.

1829. The First Fruits Office?—The First Fruits Office has made no return to the board. In that office is kept that most valuable of our ecclesiastical records, the Valor Ecclesiasticus of King Henry VIII. I am very sorry to hear that any one should have ventured to make an assertion respecting this record, which

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may be productive of very mischievous consequences to those entitled to church property. It has been stated, that an unpublished portion of this record exists in the Augmentation Office. The matter is so important, that I shall take an opportunity of showing, before this inquiry closes, that the fragments alluded to formed no portion of the Valor; and, in my judgment, it would have been very improper to publish them.

1830. I believe, in the publication of the Valor Ecclesiasticus, there were considerable errors; at least, it is so remarked in the Agenda, page 264?—The Valor Ecclesiasticus, is certainly not so well edited as most of the publications of the present board.

1831. In consequence of those errors discovered in it, did you take any measures for getting a collation of the transcript with the original record?—It appears from the minute books, that the subject of a re-collation of the Valor was often brought before the board.

1832. Did you consider the commission justified in publishing a work that they knew to be very erroneous?— In publications of this description, it is not always possible to attain that degree of accuracy as regards proper names which is desirable; the work was commenced prior to 1810, and was committed to a person considered to possess the first record skill of that day.

1833. Who was he?—Mr. Caley. At that period no person could have been found more competent to the task; the progress since made in the science of records, however, has enabled us to detect many errors in the work.

1834. It would appear, from the entries in the minutes, that the degree of inaccuracy in this book was particularly great, and that the commissioners felt it to be so; what were the reasons that induced them, knowing its more than usual inaccuracy, to sanction the publication without a fresh collation?—Five volumes were published long before the present commission issued; the fifth appeared in 1825; the board found the sixth volume nearly finished at press.

1835. What were the unforeseen difficulties that presented themselves in the way of collation of the Valor Ecclesiasticus with the original records?—The great expense and the quantity of time that would have been required; but I would suggest to the Committee that Mr. Hunter, who wrote the preface to the sixth volume, and under whose advice the commissioners came to their ultimate decision, should be examined upon this point; the printed Valor, notwithstanding its defects, is a most useful and important document.

1836. Has the commission at all carried on any work in the office of the Duchy of Cornwall?—The assistance of the commission has not been needed in the Duchy of Cornwall Office.

1837. Are the documents there in a good condition?—In general they are.

1838. Are they well arranged?—They are arranged in chronological order under their respective titles.

1839. Is easy access afforded to the public?—It is; but it appears from the return of Sir George Harrison, auditor of the Duchy, dated the 20th May 1834, that the searches are few and unimportant.

1840. Are the fees moderate?—I believe them to be so.

1841. Are there good indexes and calendars?—There are, generally, indexes nominum et locorum attached to the books; a general catalogue has been from time to time continued, and particular indexes to some of the records have been recently prepared.

1842. Are those indexes and calendars shown to the public?—There are no private calendars or indexes in that office.

1843. Are the public allowed to see all the records in the Duchy Office without exception?—Some of the documents in the office I have always understood to be the title deeds of His Majesty as Duke of Cornwall; the public ought not, I think, to be permitted to inspect such documents without restraint.

1844. Sir *Charles Lemon.*] Are you aware of any instances which prove to you whether the access to those records is or is not so easy on the part of the public as it is represented to be?—I am not aware of any instance which would go to prove that the public has not easy access to these records.

1845. The commission have not found it necessary to make any interference?—No, none whatever; the commission itself has had copies made of some documents in the Duchy Office; they were intended for the new edition of Rymer's Fœdera.

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1846. The *Chairman.*] Were some Cornish records lately discovered in the Augmentation Office?—Yes, some have lately been discovered there.

1847. Within how many years?—I do not know how many years.

1848. Were they discovered while Mr. Caley was keeper, or since his death?—I am not quite sure whether they were discovered shortly before or shortly after his death.

1849. Have you had a correspondence with Sir George Harrison upon the subject?—Yes, and with Sir Herbert Taylor; the whole of that correspondence has been laid upon the table of the Committee, and will probably furnish the date of the discovery of the records.

1850. It would appear, from that correspondence, that you were at first inclined to allow the Duchy Office to have those records?—The first impression in the minds of several of the commissioners, and certainly the first impression in my own mind, was, that the board had authority to direct the transfer of the records from the Augmentation Office to the Duchy of Cornwall Office; this impression was produced by the circumstance of the first commissioners having ordered a similar transfer so long ago as July 1800.

1851. If the commissioners had had power, you would have seen no objection to it?—I should not. As I have been present at Mr. Vincent's examination, I must state, that the reason he received no official communication respecting this contemplated transfer was, that before the board met the power of the commissioners to make such an order was questioned by one of their own body; Mr. Adlington was, however, made acquainted by me with all that was going on; had the board thought itself authorized to direct a removal of these records from the Augmentation Office to the Duchy of Cornwall Office, it would have directed the requisite letters to be written to the Lords of the Treasury, the Barons of the Exchequer and the King's Remembrancer, before taking any further steps.

1852. But as far as regards the interest of the public, you would not have objected to their being transferred?—In my judgment it is desirable that these records should be transferred to the Duchy Office.

1853. When a transcript of records is desired, do you in all cases obtain the order of the board?—It has not been usual to obtain the order of the board for making transcripts. Under the old commission it was not customary. A rule rendering such an order necessary would not only be inconvenient, but prejudicial.

1854. But in the Agenda notices appear of orders of the board for obtaining transcripts?—Generally speaking, where the expense of making the transcript would be great, or where transcripts were to be made of the Record Office at the Tower an order has been obtained; but according to Mr. Caley's usage such order was not requisite. It has seldom preceded the making of the transcript. By the bye, on looking over the minute books on Saturday evening, I found that the board in December 1832 directed the foreign letters at the Tower to be copied. These are the documents which it was the other day suggested I had expressed a wish might be transcribed *sub rosâ*. The Committee must see that it is hardly fair, that after a lapse of three years I should be called upon to answer such questions without having an opportunity of referring to the proceedings of the board and the official correspondence. If the order did not precede the transcription, it must have immediately followed it.

1855. Then the only ground was the difference of expense?—In general I have procured the order of the board where much expense was to be or had been incurred. It has been my method, although it was not that of Mr. Caley's, notwithstanding in his time transcription cost often four times and three times, and always twice as much as it has cost since. It is impossible, however, that recourse can always be had to the board. You might as well propose to consult the commissioners respecting each letter received and written. The documents fit for the new edition of Rymer's Fœdera are scattered in every part of the empire and of Europe. Is the board to be summoned each time that documents fit for transcription are discovered?

1856. Did you pay Mr. Baker 6*d.* per folio for transcribing?—He receives only 4*d.* per folio; I believe he demanded at one time to be paid at the rate of 6*d.*

1857. Was Mr. Devon engaged to furnish transcripts at 8*d.* per folio?—Mr. Devon was employed to transcribe soon after the present commission was issued. He eventually received only 4*d.* per folio, but it is very possible that at first he

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may have proposed 8*d.* a folio as his rate of remuneration. The former board paid 8*d.*, 1*s.* and 1*s.* 6*d.*; and many months elapsed before the existing board could satisfy it what was a fair price.

1858. When Sir Harris Nicolas printed his Privy Council Books, what transcripts were used for that work?—I must refer the Committee to Sir Harris Nicolas himself. At this moment I have no recollection upon the subject.

1859. Were you aware that transcripts of some documents had been made that were the property of the commission?—I cannot say; a great many transcripts were made by Sir Francis Palgrave and his clerks.

1860. Is it the fact?—I cannot answer, unless a few minutes are given me for reviving my recollection.

1861. Have you not alluded to those transcripts in your work on public records?—Very possibly; I took a great deal of pains to ascertain what transcripts had been made at the expense of the old board. Those transcripts were for the most part in private hands; and as the best means of securing them for public use, I printed a list of them in the second volume of my compilation on the public records.

1862. You cannot say whether the board was on this occasion put to the expense of re-transcribing the records of which a transcript originally existed?—Mr. Baker was employed to transcribe under the direction of Sir Harris Nicolas, who was well acquainted with the compilation I have just mentioned. Had he supposed that any transcripts of the Privy Council Books there alluded to could have been conveniently used for his publication, I am persuaded he would not have put the board to the expense of new copies, however trifling that expense may have been. I have paid no bill of Mr. Baker which has not been certified by Sir Harris Nicolas. The total expense of transcribing the text of a volume of the Acts of Ordinances of the Privy Council is, I believe, about 20*l.*

1863. Was any order of the board made for Mr. Devon to furnish transcripts for the Rotuli Selecti?—In going through the minute books yesterday, I noticed that in June 1832 certain letters of Mr. Devon relating to transcripts making by him were laid before it. The transcripts alluded to were certainly made with the full knowledge of the board; and it is probable that these letters related to them.

1864. Are you aware one of these is a transcript made a second time?—No; but all the documents are short, and one may have been formerly copied before by some clerk in the employ of the board. It must depend however upon circumstances whether such copy could be used. A copy not made with view to printing, is generally of little or no service. I said the other day that there was an order for printing this volume of Select Rolls; and undoubtedly such order was passed, although after diligent search I can find only the order for publication. Previously to the adoption of the "Agenda," this neglect to enter an order in the minute book was much more like to occur than at present.

1865. Under what authority has the board printed and published any works?—Under the authority of the commission.

1866. What are the words of the commission?—That the commissioners shall nominate and appoint persons of ability, care and diligence to be sub-commissioners, to be employed under their direction and control to superintend the printing not only of calendars or indexes, but of original records and papers. The commission also enjoins the execution of the several measures recommended by the Report of the Select Committee of the House of Commons made in 1800, and amongst those measures was the printing of certain works.

1867. I believe the first authority is in the first section of that commission, where it is stated that it would be beneficial for the public service that certain of the more ancient and more valuable among the records should be printed, and then follows the authority you have mentioned; but the first notice and the most explicit is, that certain of the more ancient and valuable among them should be printed?—It is under the authority of those words construed with reference to the Report of the Select Committee, that various works have been printed by the present and former boards. The address of the House of Commons, which preceded the issuing of the first commission in July 1800, is also important for ascertaining the kind of records and manuscripts to be published.

1868. Then construing the commission by this aid, you have considered it within the province of the commission to print works that were not ancient and valuable records?—I have always considered that it was the province of the commission to print manuscripts although not records, if they came within the

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description of monuments of our early history, laws, and government. And if the Committee will permit me, I will give my reasons at length. The authority of the board has never from its very origin, thirty-five years ago, been considered by the commissioners themselves, amongst whom some of the Judges have been always found (the Attorney General and Solicitor and the Lord Advocate were members of the commission of 1800), nor by the successive Governments, nor by Parliament, to have been restricted to those occupations which are specified in the words of the commission; and the following statement will, as it appears to me, sufficiently prove that the commissioners have had larger powers implied than have been expressed in their commission under the Great Seal:—

1. "The Select Committee appointed to inquire into the state of the Public Records of this kingdom, and of such other public instruments, rolls, books and papers as they shall think proper," (thus designated in their first report, 4th July 1800) "recommended various measures to be taken with respect to offices and repositories of records, and their contents, to libraries of manuscripts, to ancient historical and legal works, and to state papers; and concluded by proposing the appointment of a commission, not to perform those principal duties only, which are actually stated in the commission, but to carry those measures into execution, which were recommended in the said report."

2. In the Address of the House of Commons to the King for the furtherance of this design, are these words:—

"It has also appeared to us, that the salutary measures heretofore adopted by your Majesty's authority, for methodizing the contents of some of the principal repositories of your Majesty's records and papers of state, might also be extended to many other repositories, with consequences highly beneficial to the public service; and the same motive which encouraged our predecessors to entreat your Majesty's directions for printing the ancient Records of Doomsday, and the Rolls of Parliament, has also induced us to submit to your Majesty's wisdom, our desire of extending the same measure to other ancient and valuable monuments of our history, laws and government." By this nothing less can be meant than the propriety of publishing MSS. and documents in such repositories as are described in the appendices to the report of the Select Committee, whether remaining of record in a legal sense or not, so that they be essential to the history and constitution of the realm.

3. After the lapse of twelve years appeared the first report from the commission thereupon appointed, under this title:—"First Report from the Commissioners appointed by his Majesty to execute the measures recommended by a Select Committee of the House of Commons, respecting the Public Records of the Kingdom," &c. Not only does the title whereby, in that report of 1812, and in the report of 1819, the commissioners are designated, show, but it is fully demonstrated by the matter of those reports, that they had from the first considered and acted on the report of the Select Committee, as the instructions by which they were to be guided in fulfilling their public trust.

The only documents printed by the board which do not come within the letter of these instructions, are reports and other papers drawn up to facilitate the execution of their task. The Essay of Sir Francis Palgrave, to the publication of which an objection was made in another place, is, in truth, nothing but a report. There was perhaps an error in sending it forth with the inscription on the title-page, "Printed by command of His Majesty King William IV." &c.

1869. The first work in the first return to Parliament is a general introduction to Doomsday Book, is this a record or manuscript?—No; this work comes under the head of calendars and indexes.

1870. Do you consider an introduction to Doomsday Book a calendar?—I consider the two octavo volumes in question as a collection of indexes. The indexes to Doomsday as first published were imperfect, inasmuch as they did not contain the names of the tenants *in capite*, the "taini ministrie," holders of manses in towns, &c.; nor the names of the persons occupiers of land in the times of King Edward the Confessor and King Harold, nor of the persons in actual possession as under-tenants in 1086, the year in which the survey was made. The names of the persons who held lands in the reigns of Edward the Confessor and Harold are of great importance, and display the old layer of population existing at the close of the Anglo-Saxon period, and I believe that when the Anglo-Saxon charters shall have been published, they will throw great light upon the most obscure portion of our constitutional history, namely, the constitution of

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the Wittenagemot. The Royal Charters of the Saxon period were subscribed by the Earls and Thanes who were present when they were granted, and I have no doubt but that the Doomsday indexes as now completed will enable us to identify in many cases the members of the Anglo-Saxon assemblies. The publication itself is in my judgment strictly within the terms of the commission, because it is a collection of indexes, and those the most valuable of their kind. I may mention that Sir Henry Ellis, while engaged in compiling these indexes, was in constant communication and correspondence with Mr. Allen, who, as I have reason to know, considers the work as one, without the aid of which Doomsday must remain almost a sealed letter to the historical inquirers. It was at the suggestion of Mr Allen that the very curious abstract of the population of the different counties of England, at the close of the reign of William the Conqueror, as far as the same is actually recorded in the Doomsday Survey was added.

1871. What then is this in explanation of Doomsday, is it a calendar?—The work is a collection of indexes, in addition to those before published.

1872. What is the meaning then of the phrase, a General Introduction?—The General Introduction first published in 1816, is here reprinted. Sir Henry Ellis had not ceased from that time to amass every species of information calculated to throw light upon the contents of Doomsday; and that information is incorporated in this new edition of the Introduction. It would have been very unseemly to have given the indexes alone.

1873. Is it the business of the commission to print introductions, in the nature of essays, in their works?—Not exactly in the nature of essays; but the commissioners would ill discharge their duty, by placing before the public the text of a record, or manuscript, without any introduction, or other aid, for the understanding of it.

1874. The Right hon. *C. W. Williams Wynn.*] That has been the practice from the beginning?—Yes.

1875. In the Harleian and Cottonian collections?—Yes. There are very useful prefaces to the catalogue of the Harleian manuscripts. There are prefaces also to the Cottonian and Lansdowne catalogues. There is a very learned preface, as we all know, to the Statutes; and there is a very long one to the Fœdera. Indeed most of the publications of the old board have introductions or prefaces.

1876. The *Chairman.*] Sir Henry Ellis was editor of this introduction?—He is the author of it.

1877. Can you give the date of the order of the board for printing it?—I could not find it on Saturday. The first entry, respecting this work, is on the 23d of June 1832; but the order for printing it must have been made previously. It was Mr. Bellenden Ker, who suggested the expediency of affording greater facility for the study of Doomsday, by the publication of these octavo volumes.

1878. Do you mean there is no order for printing?—No. There was certainly an order made, although I have not discovered it. Both the minute books, and the Agenda, show that such an order was made. In Mr. Caley's time, there was no Agenda, either printed or written; and the present board did not adopt the practice of transacting business, according to a list of Agenda, until June 1832. It is apparently from the absence of Agenda, that, contrary to my expectation, I seem in this, and some other instances, to have omitted to enter on the minutes what, most unquestionably, was directed by the board to be done.

1879. What is the notice in the Agenda to which you referred?—"Introduction to Doomsday Book. Letter from Mr. Ellis, relative to the reprint of this Introduction, with additional notes, in an octavo form." This notice is at page 2, of the printed Agenda.

1880. Do you suppose that to precede, or succeed, the order for printing?—It must, I think, have succeeded it; but I ought not to answer positively, without perusing the letter produced to the board. The order made on the 23d June 1832, was, that the secretary do desire Mr. Ellis also to prepare a list of all the possessors of lands named in Doomsday, who were also possessors in the time of Edward the Confessor.

1881. Then this was not the original, then published for the first time by Sir Henry Ellis?—It was original, as regards the indexes.

1882. How much of the two volumes was original?—The greater proportion is original. The whole of the second volume is original. About one-third of the first volume is also original.

1883. Was any estimate submitted to the board of the expense of this work

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before it was printed?—I do not recollect, I do not think it probable that any estimate was formally submitted to the board.

1884. Was any written engagement made with Sir Henry Ellis?—No.

1885. What engagement was made?—I do not recollect that any specific engagement was entered into with him. The work was undertaken at the time when the board was endeavouring to acquire information respecting the rate of remuneration of compilers, editors and transcribers. Sir Henry Ellis received 300*l.* for composing, compiling and editing the two volumes. The price usually now paid for editing an octavo volume, comprising the text of a record or manuscript, is 150*l.*

1886. That is the rate you have paid Sir Harris Nicolas?—Yes; he receives 150*l.* for the editorship of each volume of the Acts and Ordinances of the Privy Council.

1887. Do you make no difference between editing an entirely new work, and re-editing a work a great proportion of which had been before the public?—That would depend upon circumstances. The work under consideration must, I think, be regarded as an original composition, or, more correctly speaking, an original compilation.

1888. Should you then call that an original composition when a great part of it had been printed by the former commission?—It is true that the whole of it is not an original composition, but the indexes which form by far the greater part of the two volumes were compiled for the first time.

1889. Do you think that the labour of framing this calendar was such, and that the labour expended on the two volumes, though a portion was not original, was such as to entitle Sir Henry Ellis to the same pay as if they had been two entire original volumes?—If the whole of the two volumes had been original I do not think the 300*l.* would have been an adequate remuneration. I think a very high order of talent and learning requisite to such a work as the introduction and indexes to Doomsday. An inferior degree of abilities and knowledge may in general suffice to pass through the press, the transcript of a manuscript or record. All that is necessary in the latter case is an accurate collection of the printed sheets with the original document.

1890. In consequence of the matters then under the deliberation of the board, has any fixed rate of remuneration for editors been adopted?—The general rate of remuneration cannot be made applicable to every case. But it may be stated that where the editor has no other duty to perform than to collate the transcript made by his clerk with the original record or manuscript, and to write a short preface, and occasionally to place a note at the foot of a page, the remuneration is 150*l.* for an octavo volume; for a folio volume the payment is 2*l.* 2*s.* per sheet. Where the work is compilation and not collation, the sums I have mentioned would not, in most instances, be an adequate remuneration.

1891. In what manner do you engage the editors of works, have you written engagements with them?—In some instances written engagements have been made. A written engagement was entered into with Sir Harris Nicolas. The board which met at Mr. Spring Rice's in December last, ordered that in future the engagements of all persons employed in the service of the board should be as much as possible in writing, specifying the nature of the service and terms of remuneration. That order was made on the motion of Mr. Justice Bosanquet.

1892. Do you mean that hitherto the engagements have been frequently written?—There has been rarely any occasion to make written engagements with the editors of works; most of the works now proceeding at press are edited by gentlemen who receive fixed salaries, and in the case of those who are paid by the volume or the sheet, the rate of remuneration has been fixed by previous settlements of account. At first it was certainly not expedient that any final arrangement should be come to. The board required information before it could undertake to determine the proper payments either for compilation, collation or transcription, and the public has gained much by this caution on the part of the commissioners. The payments are not only much smaller than those made by the old commission, but they are considerably less than those first contemplated by the present board. In some cases, notwithstanding the experience the commissioners have had, the kind of work being new, they find it difficult to enter into any specific engagement with the editor until some progress has been made in printing. For instance, Sir Henry Ellis is employed upon a volume of records, supplemental to Doomsday, consisting of territorial surveys to the time of King John, and also

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upon a territorial survey of lands in Wales of the time of Edward III. Respecting this last, I believe he is in communication with Mr. Williams Wynn. Now, Sir Henry Ellis is both transcriber and editor; and the board has not hitherto made any engagement with him, as yet there has been no work performed under its direction which affords a just standard for the remuneration to be awarded in this case.

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1893. At what period with Sir Henry Ellis shall you make a definite engagement?—It would not be expedient to make a definite engagement at present.

1894. What are the difficulties with regard to that particular work?—Until some further progress has been made such engagements would probably turn out to be unfair, either towards Sir Henry Ellis, or else towards the public. Within the last month an unexpected difficulty has arisen with regard to the territorial survey of Wales. Sir Henry Ellis has found it necessary respecting the ancient names of places in Wales to consult Mr. Owen.

1895. Do you mean that until that work is completed it will be utterly impossible to make any engagement with Sir Henry Ellis?—No; all that I mean is that until it is ascertained what is the precise degree of labour and skill required for the work, no definite arrangement ought to be come to; it may turn out that Sir Henry Ellis will need assistance as regards some part of his undertaking, and if so, that circumstance might have a material effect upon the terms.

1896. Are estimates of the works generally submitted to the board before they are undertaken?—The minute books show that at first numerous estimates were laid upon the table of the commissioners; but from a quarter where much money was formerly expended, estimates have been required in vain; this omission to supply information having been followed by simple inaction is not much to be regretted; in my judgment, if the only object of the commission be to supply certain defects in modern calendars and indexes at London and Edinburgh, in order to augment the emoluments of some practical men, called record agents, the sooner it is superseded the better. I always took the object of Parliament to be a nobler one; most of the estimates furnished to the commissioners relate to the unfinished works of their predecessors, for the general rule adopted by the present board is to undertake no publication which cannot be terminated in a reasonable time and at a moderate expense. As to publications of this kind, no very formal estimate was necessary, as Lord Brougham and Mr. Bellenden Ker and the secretary were, fortunately or unfortunately, tolerably conversant with the subject, and were not likely to permit the public money to be misapplied; they have never recommended the undertaking of any work which it was at all probable could become an object of private enterprise or speculation, and I may safely affirm that no bookseller in London could have produced at a smaller expense the volumes that have appeared under the authority of the board; I will not say, it is not expedient to say, that the editors and transcribers have been underpaid, but certainly they have not been overpaid.

1897. Who is the editor of the Rotuli Selecti?—Mr. Hunter's name is on the title-page of this octavo volume; but Mr. Devon was the original editor, and four-fifths of the work were finished at the press when Mr. Hunter was desired to examine it; the remainder was also prepared by Mr. Devon. Mr. Hunter discovered many variations between it and the original, which are pointed out in a table of corrigenda; some small portion of it was cancelled. Other variations exist that were not detected by Mr. Hunter; this arose in part from the mode of collation which Mr. Hunter found in use in the office; he followed on the roll while Mr. Devon read from the book. There were disadvantages too under which Mr. Hunter lay in respect of the editor whose work he was examining; he was assured by Mr. Devon he had taken much more pains with this work than with the Chancellor's Roll. Mr. Hunter had reason to think so, and no doubt believed this little book to be more correct than it is now alleged to be. Mr. Hunter wrote the preface and made the larger index; I believe he placed his name in the title-page somewhat unwillingly. Every letter of the text was originally according to Mr. Devon's readings, and I am told that nothing was placed in the corrigenda but with his entire approbation. Perhaps all the supposed variations may not be really such; it is in some degree a question between one record man and another, yet it is clear that some important corrections might be made besides those which have been made. I must observe, in justice to Mr. Hunter, that he could have no idea that any one would take the appearance of his name in the title-page except in conjunction with the passage in the preface, in which the nature of his connexion with the work is explained. These select rolls and the Chancellor's Rolls are the only

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two works produced by the present commissioners, of which, in my humble judgment, they have no reason to be proud. Those two octavo books afford only subject for a doubtful kind of praise, a negative praise.

1898. Mr. Devon was also the editor of the Chancellor's Roll?—He was.

1899. In consequence of discovering the errors which Mr. Charles Devon had made in the Chancellor's Roll, you intrusted the superintendence of this work, the Rotuli Selecti, to Mr. Hunter?—It was the discovery of the incompetency of Mr. Devon to write the preface to the Chancellor's Roll which led to this; Mr. Devon had for some 16 or 17 years been both clerk at the Chapter House and a record agent, and was of course supposed to be well acquainted with records, and capable of making an accurate collation of any copy, printed or written, with the original; he was strongly recommended to the board by Mr. Caley as a person competent to undertake any task of that description. When the text of the Chancellor's Roll was completed, Mr. Devon wrote a preface, which was put into type and placed in my hands, and it certainly was not such as to please me; at the same time it did not raise any suspicion in my mind that the roll was not correctly printed; I have seen prefaces to other records very accurately printed, of which the first drafts did not please me a whit more than Mr. Devon's. I thought Mr. Devon might be a very able record man, but unable to write a preface. It was solely the discovery of Mr. Devon's want of literary skill that induced me to place the Chancellor's Roll in Mr. Hunter's hands; there was not the slightest suspicion that the text of the record was incorrectly printed. Mr. Hunter being instructed to write the preface, of course found it necessary to read the volume, and it was then, and not till then, discovered that Mr. Devon was altogether incompetent for the work he had undertaken; that notwithstanding he had spent his life amongst records, and was strongly recommended by Mr. Caley, the task of collation was one above his learning and skill; at the same time it is but just to Mr. Devon to state, that his work was much more correct than some others that I could name, which, under a different system, have cost the country infinitely more than any corresponding publications of the former board, and which are so full of faults, that a table of errata would be a new text.

1900. Are you aware that the roll of letters patent has been twice printed by the present commission?—I am quite aware of that.

1901. Why did they print it twice?—Until quite a recent period, there was no intention of printing the Patent Rolls. The publication of this specimen, which was found to be very curious and valuable, suggested the idea of publishing all the Patent Rolls of John and Henry III. When this important work was determined upon, Mr. Hardy was instructed to omit in his volume the Patent Roll previously comprised in the miscellaneous Chapter House volume. He was, however, so desirous that his book should be complete in itself, that he inserted in it this isolated roll at his own expense.

1902. What induced you originally to print this stray Patent Roll?—Because it was a stray roll, and by way of specimen. The board could hardly at that time indulge the hope of being able to give to the country the early Patent Rolls at the Tower.

1903. Was it particularly valuable?—All the Patent Rolls are valuable; and the most ancient ones, in my judgment, particularly so.

1904. This was not more valuable than the others?—Perhaps not. No portion of the English Patent Rolls had ever been printed; hence the motive for selecting this, to form part of this octavo volume: the whole expense of editing and printing which, it must be obvious to the committee, has been very trifling.

1905. Are you aware that of another part of the same volume, the "Rotuli Sex ad Res Anglicas spectantes sub rege Henrico tertio," the transcripts have twice been made?—It is the first time I ever heard of it.

1906. Was the transcript made by Mr. Devon?—The transcripts were made by Mr. Devon.

1907. For that work?—For that volume of Select Rolls.

1908. Are they not the same you allude to, in your enumeration of miscellaneous transcripts, in page 349, of the second volume of your work on public records, "Proceedings pursuant to the Edict of Kenilworth?"—I am not aware. The transcripts there mentioned by me were, I rather think, made by Sir Francis Palgrave and his clerks. The whole cost of these transcripts cannot have been many shillings.

1909. Sir Francis Palgrave will be able to tell us that?—I shall be able to answer

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answer the question the next time I come here, if it be worth while to make any inquiry upon the subject. It is certainly new to me, that any part of the records comprised in Mr. Devon's volume had been transcribed for any purpose whatever.

1910. You are aware there are a great many inaccuracies in this volume, the Rotuli Selecti?—Yes, a great many.

1911. Are you aware how many copies have been sold?—Very few copies have been sold. I should be sorry to hear that there was any demand in that line for any of the publications of the board. Such a circumstance would show, that the commissioners had made a mistake in their selection. I think they should edit no record, or manuscript, the sale of which would reimburse the expenses. They should undertake no publication likely to engage the attention of a bookseller. Nearly all the copies of works that appear under the authority of the board are presented, in His Majesty's name, to different libraries in the United Kingdom, and abroad. A few copies are placed in the hands of a bookseller to give historians and antiquarians the opportunity of purchasing. It has been found that this is necessary.

1912. Then historians and antiquarians expend very little of their money in purchasing the works of the commission?—I am glad of it. They ought to have the works for nothing, and I hope that in general they obtain them for nothing. Their pursuits cost them dear enough. It is for their assistance that the works of the board are principally intended; and it would be a mockery if they could only procure such works by way of purchase.

1913. Now the Chancellor's Roll?—The Chancellor's Roll was supposed to be a Pipe Roll. It is described as a Pipe Roll in the return made by Sir George Rose, as keeper of the Chapter House, to the Select Committee of 1800, and in the order of the board made the 11th February 1832, for transcribing and printing it; it is also described as a duplicate of a Pipe Roll of the reign of John, and it appears from a note to that order, that it was intended as a specimen. It is hardly necessary to remind this Committee that the Pipe Rolls are some of the most ancient records which we possess, and they have a peculiar value, as they help to fill up the gap in the materials for our early history which exists between the period of the Doomsday Survey and the commencement of the regular series of Chancery Rolls in the reign of John. No portion of these records had ever been published, with the exception of extracts, which are for the most part to be found in Madox's elaborate History of the Exchequer; and the board naturally therefore directed its attention to the means of putting the public in possession of the contents of those documents. Mr. Caley was, as I well recollect, consulted upon the subject, and gave the board no hopes of being able to attain this object. The difficulty arose out of the nature of the establishment of the Clerk of the Pipe. But being resolved to leave no means of overcoming that difficulty untried I paid many visits to the office, and from long conversations I had with the persons having the custody of those records, it occurred to me as a likely mode of removing their repugnance or indifference to the proposal of the commissioners, that such of the Pipe Rolls as were in other repositories should be printed. This was the origin of the publication of the Chancellor's Roll, as it has turned out to be. I should mention as confirmatory of this statement, that there are two Pipe Rolls or Chancellor's Rolls at the Tower, and that it appears by the proceedings of the board of the 22d January 1833, that it was proposed that the same should be transcribed and printed, but no order was made in consequence of the Secretary omitting to call the attention of the commissioners to the matter; but at the next board, the 11th February 1833, it was ordered, that the two Pipe Rolls or Chancellor's Roll at the Tower, 6th of Richard I. and the 7th of John, should be transcribed and printed, and that the secretary should take the necessary steps for that purpose. This is the origin of the publication of the Chancellor's Roll of the reign of John preserved at the Chapter House. With reference to the volume itself, Mr. Hunter wrote the preface to supply the place of the one written by Mr. Devon, and which was condemned. Mr. Hunter did not attempt to mend the indexes. He suppressed the comparison of the Chancellor's Roll with the correspondent Pipe Roll, because much of it was a comparison of a faulty copy of one with the pure original of the other. He purified the text from very numerous errors, partly by cancellations and partly by a table of corrigenda. He communicated to Mr. Protheroe, and to the secretary, the state in which he found the volume, and the impossibility of making it what it might be desired to be, and that he could be considered in no other light than as one who lent some assistance to the editor at the latest moment of his labours.

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1914. It is stated in the preface that it is selected, not on account of its peculiar curiosity, but on account of the greater facilities afforded for the purpose of transcription and collation, do you think that a sufficient reason for putting the public to the expense of publishing a work without any peculiar curiosity attaching to it?—There may be no peculiar curiosity attached to this particular Chancellor's Roll. But I deny that the series of Chancellor's Rolls is not both curious and important. This roll of the 3d of John is in a much more perfect state of preservation than the corresponding Pipe Roll, numerous passages of which are decayed and illegible.

1915. Is not the facility of access to a document the very reason why you should not print it?—Yes; but only where it is likely that such facility of access will lead others to print. My notions on the sufficiency of transcribing have undergone a considerable change since the year 1832.

1916. Particularly when it is stated it is not peculiarly curious?—That statement only means it is not more curious than others of the same class. The real motives for printing this roll I have stated without disguise; the desire to present the historian and antiquary with a specimen of these records, and to pave the way to the transcription and publication of the rolls in the Pipe Office.

1917. The motive of publication then was to get into the Pipe Office?—That was one motive only.

1918. Do you think that a commission is authorized to publish works in order to get into an office?—I am not sure that it would be improper to publish a single octavo volume with that view only, supposing that certain measures were enjoined such commission, and successive governments, in spite of frequent representations, neglected to confer the power requisite for the execution of such measures. But I deny that the only motive for printing this Chancellor's Roll was to get into an office; that would not, I submit, be a fair inference from what I have said.

1919. Are you aware that out of 366 pages, 208 were cancelled?—I am not aware of that.

1920. Is it not stated in this Return?—The King's Printer's Return? I think I understand what you mean. Mr. Devon collated this Chancellor's Roll with the corresponding Pipe Roll, and printed the results in an appendix, which extended to about 100 pages. His introduction also exceeded 50 pages. All this, together with other parts of the volume, was cancelled. Possibly in all 206 pages may have been cancelled, but not 206 pages out of 366 pages. Whatever, however, may have been the amount of cancels, the cost was deducted from Mr. Devon's remuneration, so that the public has suffered no loss in that respect. The expense too of the errors in the volume of Select Rolls has also been borne by their author, who, I must say, has in all my transactions with him shown himself a most worthy and honourable man.

1921. Are you aware of what the expense of this work was?—I do not recollect; the printing and paper, including the corrections, would probably come to about 250*l.*

1922. There is a third volume to the calendar of the proceedings in Chancery in the reign of Queen Elizabeth; what was the reason for printing this work?—The present commission found the volume unfinished.

1923. It is in folio?—Yes.

1924. Who is the editor?—Mr Bayley.

1925. Was any agreement made by the board with Mr. Bayley, or did he go on upon his old engagement?—A new engagement was made, but I forget the terms of it.

1926. At the time that Mr. Bayley was acting as the editor of that work, was an investigation going on very materially affecting Mr. Bayley's character for honesty?—The investigation alluded to was not commenced until the third volume of the Chancery Calendars of the reign of Queen Elizabeth had been completed.

1927. After the commencement of that investigation, you did not intrust him with any work?—No.

1928. Now the third volume of the calendar of the Duchy of Lancaster, in the reign of Queen Elizabeth?—That volume was left incomplete by the old board.

1929. Division three of volume two of the Parliamentary Writs in the reign of Edward II.?—It consists of alphabetical digests, which had been brought down to letter S. at the time the present commission issued.

1930. This

1930. This is a continuation?—The volume was unfinished; the board has completed it.

1931. Rotuli Literarum Clausarum in Turri Londinensi?—That is a work of the present board.

1932. That is one of the works of which you expressed yourself in very laudatory terms on a former examination?—The volume of Close Rolls is an invaluable accession to our historical materials; it is very well edited too.

1933. Can you give the Committee the order of the board for printing that?—I can turn to the order, if necessary; it was made early in 1832.

1934. The editor of this work is Mr. Hardy?—Yes.

1935. How came it that that work was printed three months before the order for the transcription was sent to Mr. Petrie?—I am not aware that such was the case.

1936. I have it in the return from Mr. Petrie that the order for transcription was dated 2d May 1832, it is stated in the return of the King's printer, that it was put in type the 2d February 1832, and printed off the 22d March?—It has never been customary to forward to keepers of record offices formal orders for copying documents in their custody. Such orders have never been made or sent as far as I recollect, except in the case of any extensive work of transcription to be undertaken at the Tower. Mr. Hardy was a clerk at the Tower, and I suppose it was at his desire that I wrote to Mr. Petrie. If I did not write before the time stated, it was because it had not been previously suggested to me that it was requisite. The Close Rolls was the first great work undertaken by the present commission at the Tower. As to the remark made during the course of this inquiry, that it appears from the King's printer's return that the printing of works was often commenced before the date of the order of the board authorizing it, I have already explained that circumstance. It is usual previously to an order being passed, to put a specimen in type, and to produce it to the commissioners for their approbation. This was the practice of the old board.

1937. Did you think it proper to follow this precedent in the new commission?—The course appears to me to be a very convenient one. It gives the commissioners a better opportunity of satisfying themselves as to the expediency of undertaking a work, and as to the form in which (if it is undertaken) it ought to appear. Almost all the works have been the subject of deliberation between individual commissioners and the secretary, before the question of publishing them was submitted to the board. As to specimens, I see one now on the table, the specimen of Sales of Wards and Marriages, printed by desire of Sir Francis Palgrave. For it no order of the board has been obtained. For twelve months to come, it is not probable that the attention of the commissioners will be drawn to this proposed publication; Sir Francis Palgrave is sufficiently occupied at present.

1938. But the transcripts for this work (the Close Rolls) must have been made before it was printed?—The transcription would proceed simultaneously with the printing.

1939. Do you mean that you would not transcribe more than you printed as a specimen?—As to that, the editor exercised his discretion.

1940. This work you consider peculiarly creditable to the commission?—I do.

1941. Why has it been suspended?—The want of funds is the reason that the second volume of the Close Rolls has not been published.

1942. Do you mean to say, that the whole funds of the commission would not have enabled it to print this work, which you say was its great glory?—No, I do not; an unincumbered grant of 10,000*l.* a year (I am sorry to say, the grant is not even now unincumbered) would of course enable the commission to complete a volume; the total cost of which, for transcription, editorship, printing and paper, would not exceed 1,800 *l.* But the Chairman is alluding to the great undertaking of printing the earliest of each series of rolls at the Tower. At the period when the commissioners resolved to print those rolls, other works were in progress, which, together with the portion of undischarged debt, which they inherited from their predecessors, would clearly exhaust all the funds at their disposal. They knew, therefore, that they could make but little advance in this new undertaking, until those other works were completed; and their order for publishing the records in question was framed with great caution. On turning to the minute book, it will be seen that (to use the words of the order) "the advance of the printing is to be regulated by the amount of the funds that may be placed at the disposal

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of the board, and the expense of the other necessary operations now carrying on." These other operations, at the period in question, perhaps furnished to the board ample employment, without——

1943. Ample employment, that would confer more glory upon it?—There were volumes half finished at press, and which it was requisite to complete. It would not have been right to abandon these, merely to accelerate the progress of the new work.

1944. What was the reason for suspending that work?—The immediate reason was a difference with Mr. Hardy, as to his remuneration. The continued suspension is attributable to the want of funds.

1945. Was Mr. Hardy dismissed in consequence of that dispute?—No.

1946. Was not he dismissed?—No.

1947. Is there not a letter from you extant, stating that he was dismissed?—Not as I understood that letter when I wrote it, as I have understood it since, and as I understand it now.

1948. Was not Mr. Hardy's dismissal discussed at the board, and confirmed?—No.

1949. Was not the alleged reason, for the suspension of the work, some personal offence that Mr. Hardy had given you, in a letter written to you?—No.

1950. Was not that reason stated to the board?—No.

1951. The construction you put upon your letter is, that Mr. Hardy was not dismissed at all?—The correspondence, of which that letter forms part, will show that he was not dismissed; I had no power to dismiss him.

1952. But the work was suspended partly on account of those differences between you and Mr. Hardy?—The work was suspended for one reason; it has continued to be suspended for another reason; both reasons have been already stated by me.

1953. Then the letter of Mr. Hardy, that was considered so disrespectful to you, was not any cause of the suspension of the work?—I never in my life suffered private feelings to interfere with public duties.

1954. I do not mean to assume that you call these private feelings: has not this letter been made the subject of discussion at the board?—Which letter?

1955. The letter of Mr. Hardy, which was considered disrespectful to you?—I am not sure which letter is meant; Mr. Hardy printed a memorial containing many of my letters, which I certainly never expected to hear of again after they were written.

1956. What order was made upon the memorial?—The board made no order upon such memorial. The object of the memorial was, under the circumstances, quite unintelligible.

1957. Do you mean at this board, at which I presume you were present, no mention was made of this letter of Mr. Hardy's?—No, I do not mean that no one made mention of a letter written by Mr. Hardy.

1958. Was that letter of Mr. Hardy's stated as an offence on his part?—I do not recollect that I first drew attention to any particular letter of Mr. Hardy.

1959. It was not so stated to the board?—Mr. Hardy had printed his memorial containing letters written both by himself and by me; that memorial was in the hands of the commissioners.

1960. Did you not state that letter to the board as a matter of offence by Mr. Hardy against you?—I should like to know which letter it is that you allude to.

1961. The letter in which he speaks of your great increase of professional business?—There is such a letter. The subsequent correspondence will show it had no influence whatever on my conduct towards Mr. Hardy.

1962. Did you state it as a personal offence against you?—Lord Brougham made some remark upon the letter: that the smell of musty records seemed to produce a disposition to sneering.

1963. Is this work that confers so much glory upon the commission now going on?—No, the fault is not with the board. I have before me the order made upon the production of this memorial of Mr. Hardy. It is in these words:—"Mr. Hardy's memorial—Ordered, that Mr. Hardy's pecuniary claim be referred to the Committee appointed to consider the pecuniary claims of Mr. Cole."

1964. That is all the notice taken of Mr. Hardy?—It is.

Mercurii, 16° die Martii, 1836.

MEMBERS PRESENT.

Mr. Buller.	Mr. C. Villiers.
Sir Charles Lemon.	Mr. Pusey.
Sir Matthew White Ridley.	The Right Hon. C. W. W. Wynn.
Sir Robert Inglis.	Dr. Bowring.

MR. BULLER, IN THE CHAIR.

Edward Protheroe, jun. Esq. called in; and further Examined.

[*The Witness delivered in a paper.*]

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1965. *Chairman.*] THE paper you hand in is the report of the committee respecting the discrepancies between the returns made to Parliament and the real expenditure?—Yes.

1966. Those returns were not laid before the commissioners before they were presented to Parliament?—No.

1967. Mr. Cooper alone is responsible for them?—Certainly; because I do not admit that any returns are authorized by the commission unless they are previously mitted to the board; and had I been in Parliament I should have objected to any returns being printed, unless they had been referred back to our board.

1968. It appears in the item of books alone there is a discrepancy of about 300 *l.*?—I think something between 200 *l.* and 300 *l.*

1969. Did you agree in this report?—I agreed to that report, on the understanding that I should append a separate note respecting the instructions given to the Bishop of Llandaff and myself, which instead of being as I had proposed, and thought had been approved by the board, simply directed us to examine into the accuracy of the returns to Parliament, presented in 1833 or 1834; my proposition having been that we should form an analysis of the expenditure from the commencement of this commission to the present day. I had not originally mentioned the returns, and I only noticed them when Mr. Cooper asserted that they contained the information I desired. I was then constrained to mention my belief of their inaccuracy. The report of this committee and two separate notes of mine are now before this Committee.

1970. Is that in conformity with the account as since made out?—I think I stated in a former part of my evidence that I had my attention called by a friend of mine to the inaccuracies of that statement, and the discrepancies that existed between it and the returns to Parliament, and a document upon that subject accompanies the report in question; but I have no copy of this paper to deliver in to the Committee; it exhibits the discrepancies between the estimate in the Agenda and the returns to Parliament, and the account as analyzed by myself.

1971. The statement in the Agenda did not agree with the returns to Parliament?—No.

1972. Did it agree with the real expenditure?—No.

1973. So that here are three authentic statements of the expenditure of the commission, all differing from each other?—Yes, they all three differ from each other; I should state that at the time that was inserted in the Agenda I had not seen the accounts.

1974. Sir *Matthew W. Ridley.*] Can you in any way account for the discrepancies alluded to in those three accounts?—No, I cannot account for it; but I am perfectly certain that our way of doing business was different from every other person's; nothing like accuracy with respect to the accounts could be the result of such a system as ours. It would be desirable that I should now state, that when I have spoken on former occasions of the ledger, I have adopted a word I conceive perfectly inapplicable to any book in the custody of the commission; I have used that word because it has been adopted by other persons; had such a book as the

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ledger been kept, there could have been no difficulty in producing the information I desired; information without which the commission is utterly incompetent to discharge its duty, and the commissioners and secretary thoroughly incapable of forming a correct opinion on the conduct and administration of the affairs of the commission.

1975. *Chairman.*] In June 1833, I believe you drew up a synopsis of the commission's expenditure?—Do you refer to a synopsis mentioned in the Agenda.

1976. Yes?—That synopsis was not of the expenditure of the commission, but of the work being done under the commission, or ordered to be done.

1977. Did you request that that might be printed in the Agenda?—I sent it to the secretary for the purpose of being inserted in the Agenda.

1978. What was done with it?—It was omitted.

1979. Altogether?—Yes.

1980. So that in fact it was suppressed?—Yes, for the reasons stated in the Agenda.

1981. What are those reasons?—That although the synopsis was compiled with very great care from the minutes of the board, it contained, necessarily I think was the word, many inaccuracies, or was imperfect.

1982. Are you aware of it containing any inaccuracy, or being imperfect?—I am not aware of any inaccuracy, and perhaps that was not the word; I think it was styled imperfect; and imperfect it was, because it is impossible for any person to collect from the minutes of our board the actual engagements existing between the editors and the board, or the secretary, or to ascertain precisely the work which has been committed to them, the minutes themselves not containing that information.

1983. On what authority did the secretary suppress this paper you sent him, as a commissioner, to be inserted in the Agenda?—Upon his individual authority, which seemed to him sufficient for the suppression or insertion of any document that was proposed for the Agenda.

1984. So that the Agenda being the only place for notices given by the commissioners, the secretary thought himself at liberty to suppress such notices as they gave?—Yes, such notices as these.

1985. Did he state to you it was on the authority and wish of the commissioners?—He subsequently stated to me at the first audit, and again in 1833, by letter, that the commissioners themselves disapproved of the publication of this statement.

1986. Had any board occurred between your sending the statement to be put in the Agenda and the suppression?—I rather think not; I have endeavoured to satisfy my own curiosity on that subject; but although I have a copy of a letter addressed to Mr. Cooper, remonstrating on the impropriety of the suppression of this document, I cannot satisfy myself whether a board had or not intervened; I communicated this document to one or two other commissioners; but this is a point which can be easily ascertained by referring to my letter, and comparing it with the date of those Agenda, where the notice of my synopsis occurs.

1987. Do you suppose that Mr. Cooper had the authority of the board, or only of some individual commissioner for the suppression?—If no board intervened, of course Mr. Cooper suppressed it on his own responsibility; my own impression was when I saw that it was suppressed, that it had been omitted by him solely.

1988. But if it was on the authority of the commissioners, as he stated, he must have meant on the authority of some individual commissioner, and not of the board?—As well as I recollect, for I have not the letter in the room with me now, the synopsis was said to have been suppressed or disapproved of by the commissioners assembled at a board.

1989. Do you not think, from the way in which the business was done in the commission, that the secretary was very likely to take the expression of a wish on the part of two or three of the most active commissioners as an authority equivalent to that of the board itself?—It is very possible.

1990. Was the order of the board obtained for collecting historical works on the Continent?—I do not know.

1991. For what purpose were those collections made?—I believe with a view to a new edition of the Fœdera.

1992. A new edition of Rymer's Fœdera?—Yes.

1993. Has the sanction of the board been obtained for that new edition?—The sanction of the board has been obtained for doing something with respect to the

Fœdera,

Fœdera, but I was not present at the board at which Mr. Cooper's proposals were approved.

1994. Is it necessary to have a new edition of Rymer's Fœdera?—I am not able to answer that question. I rather believe Mr. Cooper's present plan is not to publish a new edition of the Fœdera.

1995. What is it then?—I do not know what it is.

1996. Being a commissioner, do you not know the purpose for which those foreign collections, which cut so important a figure in the estimates of your expenditure, were made?—No, I have never been able to ascertain for what object they have been made. I presumed they were collected to be inserted in the new edition of the Fœdera, but I now find from Mr. Black, to whose custody they are committed, that there is no intention whatever of printing a new edition of the Fœdera at the present moment, and that they have been made with a view of ascertaining what exists for a new edition of the Fœdera, if it was possible to make one.

1997. Sir *Robert Inglis.*] Did you ever make any inquiry upon the subject of the use to which those materials were to be applied?—Certainly, a great many inquiries; but my inquiries have never been satisfactorily answered. I recollect I entertained at one period very great doubts of the propriety of making those collections, and of their utility, as also of the collections said to be making by Mr. Stephenson, and Mr. Cooper undertook to satisfy me of the propriety of the course he was pursuing, but I have never had the benefit of such satisfaction. The documents have been committed to Mr. Black, and as he appears to be the real editor of those collections, it is from him that my information, such as it is, has been gained. This is an instance, again, of the incomplete acquaintance which a commissioner may have of the works of the commission, for want, as I think, of the due details being regularly submitted to the board.

1998. *Chairman.*] Has your want of information upon this subject arisen from peculiar circumstances, such as being out of town or ill, which prevented you in particular obtaining the information, or from your not being able to obtain it, having taken all possible means to procure it?—As I was not present at the board to which I have made allusion, when I conceive Mr. Cooper made some proposal relative to the Fœdera, and received the sanction of the board to his plan, I cannot state that my absence may not have been one of the causes of my being unacquainted with the nature and plan of this work. But I do not think such information has been submitted to the board as would enable the other commissioners, as well as myself, to understand what has been done in the matter of those foreign collections, and the new edition of the Fœdera.

1999. Do you suppose we should get precise information upon this subject from any commissioner?—I do not know; it is only within a few days that from Mr. Black himself I have obtained some information respecting this new edition, and I am not very clear now, even after his statement, whether I understand the destination of those foreign collections.

2000. Have you seen them?—No, I have not.

2001. Do you know the extent of them?—Mr. Black informs me that they amount to about 12 or 13 portfolios, and I have here a document that Mr. Black has sent me this morning, purporting to be a synopsis of the foreign transcripts in the custody of William Henry Black; those transcripts are, I understand, at the present moment, though nominally in the custody of Mr. Black, lying in New Boswell-court, at the secretary's house.

2002. Sir *Matthew White Ridley.*] They are all in manuscript, and not printed?—I suppose they are; I know nothing to the contrary. I will not venture to affirm anything about printing.

2003. *Chairman.*] Has anything been printed from them?—I cannot tell.

2004. Do you know anything of the work that has been handed in to us by Mr. Cooper called an Appendix to the Report on Rymer's Fœdera?—I do not understand precisely the nature of that work; but I have seen first one volume, and then one or two others, and latterly a fourth volume. I recollect the first or second volume was presented to us at the first audit.

2005. Is it usual for the commissioners to print volumes without any title-page?—No; but I conclude that those copies of the appendix that the Hon. Chairman has in his hand are unfinished volumes.

2006. Sir *Robert Inglis.*] You were asked whether it was usual for the commissioners to print volumes without a title-page; will you look at that volume

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[*handing one to the Witness*], and see whether it does not correspond with the description given in the answer, that it was a work set up as a specimen, and not intended in its actual state to be sent out to the world?—I conceive it to be, in its actual shape, intended to be sent out to the world. I have no doubt it is in the form in which it is intended to be published; I do not regard it as a specimen; I conceive the title-page will be put to these volumes as soon as the report, which is in type, is corrected and printed.

2007. The question had reference simply to the absence of those external marks of publication which the want of a title-page implies, and the question therefore arose out of the question put by the Chairman, implying that it was usual for the commissioners to publish works without their title-pages, and with this explanation before you, will you state to the Committee whether you consider the volume placed in your hands, and now held by you, to be one in a state for publication, minus the title-page?—I consider it to be quite ready for publication, all excepting the title-page.

2008. That is the only point to which your attention was called?—My attention was called to another very important point, whether it was a specimen. This work is quite ready to be published, and is not printed as a specimen.

2009. Minus the title-page?—Yes.

2010. *Chairman.*] Do you suppose that other copies which have not been bound will not be bound till a title-page is prepared?—I think it very doubtful whether any title-page will be required for these volumes; they are simply appendixes to a report.

2011. Did you ever see a book published by the Record Commission without a title-page?—Certainly not; but I never saw an appendix to any book published by the Record Commission yet; and as this is quite a novelty, I do not know how Mr. Cooper may intend to produce it.

2012. Do you know this book, Appendix to volume I.?—I am aware there is a collection of miscellaneous records from the Exchequer which has been put in to the Committee without a title-page; but to the only copy which I have previously seen, I have seen a title-page and a preface.

2013. How is anybody to know to what volume I. this is an appendix?—No one; because it is a work that has not yet been published, and upon which Mr. Cooper's intentions are not finally settled.

2014. You say you have seen a copy of this work with a title-page?—Yes; the only copy I saw before I came into the committee-room.

2015. Whose name was to the title-page as editor of it?—I do not remember whether Mr. Cole's name appeared in the title-page, but Mr. Cole's name was appended to the preface that followed the title-page; he was in fact the editor of the work.

2016. Was there also a table of contents?—Yes.

2017. In the volume which I hold in my hand, which is in the possession of Mr. Cole, and which, I understand, was made up from the proof sheets sent by the printer, there appears a title-page, four pages of preface and two pages of table of contents; the sheet containing those eight pages is wanting in the copy handed in to the Committee by Mr. Cooper; can you account for this removal of the title-page, preface and table of contents from the copy handed in by Mr. Cooper?—Yes, I believe that I can; I mentioned to Mr. Cooper, in 1834, that I had seen such a work in the Augmentation-office, and expressed my very great surprise at finding a book printed and just ready for publication, of which, as a commissioner, I had no cognizance, and for which, as far as I knew, no order of the board had been received. In reply, he stated to me that he intended it to be an appendix to the Agenda, or the work which he should afterwards compile of the Acta, or proceedings of the board; he also added, that Mr. Cole had a preface and title-page set up, but he did not engage to make use of either. I have already stated in my evidence I protested most strongly against the plan of publishing any Acta, or anything in the shape of an appendix to our Agenda, thinking the plan manifestly very absurd.

2018. But as a commissioner, how is it you did not know of the order of the board for printing this appendix?—I do not know that there was any order; I believe that there was no order.

2019. Was it to be printed as an appendix to the Agenda of the commission; is that your belief?—Such is the statement of Mr. Cooper to me.

2020. On reading the volume, particularly with the light thrown upon it by the title-page, which has been subsequently effaced, it appears to consist of selections

of

of the miscellaneous records of the King's remembrancers in the Exchequer; now why should those records be printed as a supplement to the Agenda of the commission, any more than any other records?—For no earthly reason, as I have said before. I have objected to the plan; I think it extremely absurd.

2021. Sir *Robert Inglis.*] Did you object at the board personally, or in any way submit such your objection to them in writing?—The work was printed, and, as far as I can judge, ready for publication, when I first saw it; and as soon as I was cognizant of the transaction, I communicated my astonishment to Mr. Cooper; and, as well as I recollect, informed him I thought it desirable that the work should be submitted at the earliest opportunity to the board. Perceiving that Mr. Cooper did not bring the matter under the notice of the board, I then called the attention of the commissioners by notices on the Agenda, three times I think, but certainly twice, to the fact of the existence of this work. At the same time I have not been so forward in bringing this matter under the notice of the board, since the commissioners appeared to me to have sanctioned the printing of other works, such as the appendix to the report on the Fœdera, without, as far as my knowledge goes, the direct order of the board for their being printed; a circumstance which, censurable as it was, did not appear to me quite novel. Besides these reasons, I must advert to circumstances before mentioned, relative to a board of November 1833, which naturally made me very unwilling to call the attention of the board to any matter which Mr. Cooper did not himself wish brought under the notice of the board; and every subsequent event has tended to increase that feeling, when my view of positive obligation did not counterbalance it. The impression on my mind has also been, that the commissioners did not view with satisfaction any interference of mine with the secretary's proceedings.

2022. *Chairman.*] With regard to these foreign collections, do you know how much they have cost?—I think I know pretty well what they have cost, but I have not got my analysis of the accounts with me in the room, and from memory I should scarcely venture to state the amount.

2023. Do you believe they have cost as much as 7,000*l.*?—I should not think they have; but it is very difficult to say precisely what they have cost, so many different items may be included under the head of foreign collections, such as the cost of carriage, which may be omitted in one account and included in another under the head of foreign collections, for which such expenditure has been incurred.

2024. Have any of those matters called foreign collections been printed in this work Mr. Cooper has delivered in; the different appendixes to the Agenda?—I think Mr. Black stated to me that some extracts from the foreign collection had appeared in the last appendix, or are to appear in some other appendix to this forthcoming report.

2025. Have you seen the report itself?—I have not.

2026. It seems to be the usual plan of the commission to publish appendixes to volumes not in existence?—There are certainly two instances now before this Committee, of appendixes printed previously to the publication of the report on the work to which they are to be appended.

2027. Sir *Robert Inglis.*] The question of the Chairman referred to publication, and you are requested to state whether you know of any instances of publications of appendixes before the works to which they were appendixes were published?—The word "publishing" is incorrectly used by the hon. Chairman: the works are not published; the appendixes are prepared, and I think appendixes may possibly be, without impropriety, prepared and printed before a report finally appears, it being well understood, as far as I know, that this report is actually finished and in type; at the same time, I do not mean to have it inferred that I approve of these extensive appendixes.

2028. *Chairman.*] Can you, or the other commissioners, judge of the necessity of having such an appendix to a report of the nature of which you know so little?—I cannot judge, and I doubt the propriety of it; I should individually have wished to have seen the report first.

2029. If I had asked you what there could have been in a report upon Rymer's Fœdera, that could require the publication of such an appendix, in four volumes, you could give no information upon the subject?—I should say they were not necessary, if I was to speak from my own crude knowledge upon the subject.

2030. Do you conceive that any part of His Majesty's commission authorizes any

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part of this collection?—I have very serious doubts upon the subject; but as the late commission undertook a new edition of the Fœdera, it may become a fair subject for inquiry in a commission like ours, whether there did not exist upon the Continent documents that would very much tend to illustrate and perfect such a work.

2031. But the commission being appointed solely for the purpose of dealing with the records of this country, what authority can you have for publishing any works that cannot in any way be called records of this country?—I have always felt it very doubtful whether we were authorized to permit the formation of these foreign collections.

2032. There is a State Paper-office, as well as Record-offices, in this country, is there not?—There is.

2033. Occasionally discussions have been carried on between the two boards, as to whether a particular document was a record or state paper?—Yes.

2034. In the continental collections, has care been taken to observe the line between state papers and records?—No; I should conceive that almost everything that would appear in the Fœdera would bear the character of state papers.

2035. Do you think that anything that would be found abroad could be considered a record of this country?—No, they certainly cannot be called records of this country.

2036. Do you think, if those collections are to be carried on, at any rate they ought to be extended beyond matters of history?—No, I do not.

2037. Do you think that the province of the commission was to make inquiries respecting all matters relating to the literature of England, to be found in foreign countries as well as this?—Such inquiries are exceedingly interesting.

2038. Is it the business of the commission to make them?—No; I was going to say I did not consider it the business of the commission to make them; and however interesting they may be, I should wish them to be postponed till we have discharged what I conceive to be our duty on the records at home.

2039. Do the commission, as a commission, believe in the truth of the story of St. Ursula and her 11,000 virgins?—I cannot answer that question.

2040. Do you individually believe it?—I do not understand the question.

2041. Do you suppose that any one of the commissioners believes that this is an historical fact?—I believe that the Lives of St. Ursula, however much encumbered by legendary tales, contain historical facts.

2042. Do you really believe there is any truth in the story of St. Ursula and the 11,000 virgins?—I can very easily conceive that the legend of St. Ursula may very properly be incorporated in a collection relative to the history of Great Britain, since I believe it to be founded on some historical facts.

2043. You think it is a matter of history?—I do; I think that the large mass of the legends of the Saints are a matter of history, inasmuch as amid a great collection of lies, they contain some historical facts relative to a dark period of history, where anything approximating to truth is not to be disregarded by an historian.

2044. Do you think that the speculations of a Saxon nun, upon those legends of her church, can fairly be considered a document that comes within the range of collections for the history of England?—I am perfectly unacquainted with the document the hon. Chairman mentions; and I do not know how it has been brought under his notice, so as to lead to his putting the question.

2045. Sir *Robert Inglis*.] Are you aware of any legends, transcribed by order of the commissioners, with reference to the subject of the preceding questions?—No, but I conclude from the questions put to me that something relative to St. Ursula appears in the appendix to the Fœdera.

2046. *Chairman*.] Do you not know, that in the catalogue of books in foreign libraries, which is given here without any explanation at all, there occurs almost in every page a notice of some work relating to St. Ursula and the 11,000 virgins?—The book before the hon. Chairman has never been, to my knowledge, produced at the board; but if it has been so produced it has certainly not been carefully examined, and it has not been circulated among the commissioners. Either that volume or another volume of the appendix was produced to Mr. Hallam, Mr. Allen and myself, at the first audit of the accounts, and the rest of the appendix has been at different times produced to me individually, and also to Mr. Hallam and Mr. Allen and myself, at Mr. Cooper's house, when we audited the accounts, but I never had an opportunity of examining it; it has only been in my hand for three or four minutes.

2047. Do you know what information respecting English history is contained

in Marbodeus's book about stones?—No, indeed; nor do I know what information is contained about history in the appendix before the hon. Chairman. I have before stated that I am, comparatively speaking, wholly ignorant of the work in question, and unacquainted with the motives which led to the publication of such large appendixes to a small report, of the object and about the nature of which I am also nearly equally in the dark. I must in justification add, that these volumes when shown to me, were produced by Mr. Cooper as works of very high value, and I saw that to question their utility would be as displeasing as it would have been useless; they being all printed and ready for distribution. They were also known to two of the best judges of historical works on the commission.

2048. Here is the song of Johannes Egidius de Urinis, and Gilbertus Regula de coloribus et contentis Urinarum: what light do you suppose those works throw on English history?—The books quoted seem to be inapplicable to history; they seem to be of a very diverting character: but if I am to answer the question seriously, I think I have answered it previously by saying, that the volume before the hon. Chairman, and the object of its being printed, and its contents, and even the authorship of the volume, are facts comparatively unknown to me.

2049. Sir *Robert Inglis.*] You have stated, with reference to Rymer's Fœdera, that you have reason to believe that a new edition was in preparation under the sanction of the board; can you state to the Committee, with reference to the materials of the old Rymer, what portion of those can be called, in the stricter sense of the term, records?—No, I cannot.

2050. Unless, indeed, treaties of peace shall come under that description, and safe conducts, perhaps you are hardly prepared to state that any can be called, in the stricter sense of the word, records?—I have already intimated it to be my opinion, that the whole of the Fœdera contain documents that can scarcely be called records.

2051. Therefore a proportion of Rymer, and the incorporation therein of other documents of the same kind, would only be, as the terms of the question imply, a work of the same character as the original Rymer?—I think so.

2052. *Chairman.*] Does not this seem to you a reason why the commission should not have meddled at all with the edition of Rymer's Fœdera; and does not it also show that Rymer's Fœdera, not being a work consisting of records, was not one that fell within the province of the commission?—I think it would be injudicious to draw the line very strictly between records and state papers. I certainly do not think, looking at the words of the commission, that the publication of the Fœdera was a work that came precisely under the instructions to the commission; but documents which appear in Rymer are not generally documents that are in the custody of the State Paper-office. The originals exist in the Record-offices; and if I may judge of the nature of those documents by the places from which they are extracted, a great majority, if not the entirety of the earlier documents, will be properly classed under the head of records.

2053. That is of itself a reason for considering them in the nature of records, because they were found in record offices?—Yes.

2054. But the foreign collections are not found in English record offices?—No.

2055. That of itself would draw a line between Rymer's Fœdera and the supplement for which those collections have been made?—That may be considered to draw the line by some persons: at the same time, though I do not approve of the system that has been pursued by Mr. Cooper in expending so large a sum of money in the collection of those transcripts from the Continent, I am not prepared to say, had the work been openly done, and regularly brought in the first instance under the notice of the board, and submitted to discussion, that I should have objected under some circumstances to the formation of those collections. I should, however, have thought it desirable to postpone almost all publication to the arrangement of the records; and I certainly think it would have been more advisable had a much less sum been expended on those foreign collections, until we had completed our first duty (as it appears to me to be) of arranging the records of the kingdom.

2056. In the original Rymer's Fœdera, do you find any document relating to popish saints and other legends of that kind?—No, I believe not.

2057. Have you seen the valuable appendix to the report on Rymer's Fœdera, lettered B, containing the Anglo-Saxon contributions?—I have before said it is one of the volumes that has been submitted to my sight for a few moments, rather than to my inspection. I am not an Anglo-Saxon scholar.

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2058. It consists of the legends of St. Andrew, the Departed Soul's Address to the Body, the Invention of the Cross, and other matters of a similar nature; do you suppose that this comes within the department of history or literature?—I do not like to pronounce an opinion on the relation which these documents may be supposed to bear to history, without some knowledge of the volume referred to and its contents. One general opinion, applicable to all the appendixes, I may express, that it would have been much more desirable, and the only proper course for the secretary to have taken, to have submitted his report to the board in manuscript before any one page of those appendixes were formed. It will be understood by the Committee, that the greater part of the volumes now before them were printed, I believe, before the board were aware of their existence; at all events, they were in print and put into my hands before I knew that any such work was proposed to be printed or published.

2059. Do you know what care has been taken to ensure the copies of those continental documents being faithfully made?—No, I do not.

2060. Do you know whether proper means have been taken to collate the transcripts with the originals?—I know nothing about the way in which they have been procured or the copies taken.

2061. Has the board sanctioned the salaries paid to persons on the Continent employed in this work?—I am not aware that any salaries were paid, but at the same time I am not prepared to say that the payments made to the individuals who sent over those transcripts were not salaries. I believe them to have been only remuneration for the trouble of transcribing; but with respect to Mr. Masterton, I think he possibly may have received a salary; at all events, I know he received a considerable payment, partly charged to us for travelling expenses.

2062. Mr. Masterton is, I believe, at Lisbon, is he not?—The entry I saw in the account was, "Mr. Masterton, going out to make collections at Lisbon."

2063. It is to that gentlemen you are indebted for the honour of having your name printed in Portuguese, in your address to the Portuguese nation?—I believe it is; but with that document I am no further acquainted than having had it put into my hand by a friend of mine.

2064. *Chairman.*] Are you aware, in the return to the House of Commons, that is mentioned as one of the works published by the commission?—I have already said the returns to Parliament are the productions of the secretary; they did not come under the notice of the board, and they had not the sanction of the board; and I reject all responsibility for the returns made in 1834 or in this year.

2065. Do you know what M. Royer Collard has been doing for these collections?—I do not.

2066. Do you know what amount of money he has received from the commission?—I believe I could state it, if I had my digest of the expenditure.

2067. You know he has received money, but you do not know what for?—I know it is said he has received money for sending over transcripts from collections in France, but I know nothing of the cost of the collections or the produce of the money expended, never having seen the collections.

2068. Do you know whether, in having those transcripts made abroad, that care has been taken that they should be made from originals, and from originals of which there were no counterparts in this country?—I know nothing of the documents from the Continent further than I have gathered from hearsay, and latterly something from Mr. Black, into whose hands they have been put.

2069. There is nothing doing now in the way of editing the Fœdera?—I do not know.

2070. Sir *Robert Inglis.*] The Fœdera is a compilation of original materials, known by the name of Rymer's Fœdera, literæ et conventiones regum Angliæ: if it were proposed to publish a new edition of that work, do you or not conceive that the incorporation therein of all the additional documents and papers coming under the description of Fœdera literæ or conventiones regum Angliæ, whether to be found in England or foreign countries, is desirable, in order to make that work as complete as our knowledge of the existing materials would enable us to do, notwithstanding some of those materials might be in foreign countries, supposing that they distinctly related to England, or to transactions in England with foreign countries, even though upon matters of subordinate consequence?—I have always expressed my belief to Mr. Cooper and other persons, that it was very possible that such collections, if judiciously made, might be highly useful in a new edition of the Fœdera.

2071. *Chairman.*]

2071. *Chairman.*] What part of the commission specifically authorizes or enjoins the board to publish an edition of Rymer's Fœdera?—Certainly none.

2072. Your only authority, then, for printing an edition of Rymer's Fœdera is the authority of the commission to print generally the more ancient and valuable records?—Yes; and I think that is an authority for the publication of Rymer's Fœdera.

2073. You think that the authority to print ancient and valuable records is an authority to print what are not records at all?—I have already stated it is very difficult to draw a line between what are and what are not records, inasmuch as some persons will regard the early documents in Rymer, coming from the Tower and other offices, as records; again, such documents, if they came from libraries or the State Paper-office, are regarded as state papers.

2074. The Right hon. *C. W. W. Wynn.*] Is not the printing of Rymer's Fœdera one of the measures recommended in the report of the Committee of the House of Commons, upon which the original commission is founded?—I do not recollect at this moment whether it is stated to be an object of the commission, in that report.

2075. *Chairman.*] You say you think it not desirable or possible to draw the line accurately between records and state papers?—Yes, I do.

2076. Do you think that any definition could be given of records, by which Egidius de Urinis could come under that name?—Certainly none, as I should think; but the question of the honourable Chairman, I suppose, refers to something in that appendix, which I have never had an opportunity of examining.

2077. Are you acquainted with the system pursued by the secretary, in the editing of the Fœdera?—No, I am not.

2078. You spoke of other gentlemen beside himself being engaged upon it?—I believe many gentlemen are employed upon it, and in writing the report.

2079. Do you know what portion is assigned to each?—Mr. Black tells me that he has written the report, which he says is in type; I have not seen it, nor have I seen the manuscript. Mr. Hardy made some large contributions towards this report, so considerable as to have been paid for by 100 *l.* I understand from Mr. Black, that the appendix B. is Mr. Thorpe's work; and the two latter are Mr. Black's own compilation.

2080. Do you know whether it would be in the power of the commission to place this report before us?—Certainly.

2081. In the Agenda of November 1833, December 1835, and January 1836, you have given notice for the production of the quarterly reports: will you state your views of the utility of such reports?—I conceive that they would be very useful, in enabling all the commissioners, and especially those who, from their more important avocations, are incapable of watching the arrangement, cleansing and publication of records in the different offices, to judge of the progress that was made. I think also, as we are entrusted with public money, it is desirable we should exercise a certain regular control over the progress of our editors, in the publication of their different works. Such reports have been made by Mr. Caley and Sir Francis Palgrave; such reports are made to Mr. Cooper by Mr. Black, and I understand from all the sub-commissioners and editors that there can be no difficulty in making such reports; and indeed if any objection were made to their production by those gentlemen, I should think it ought to be overruled.

2082. Have those reports been produced in consequence?—No; the motions I have made upon the subject have never directly come under the notice of the board.

2083. How is it they did not come under the regular notice of the board?—The discussions that preceded them occupied so much time, that my notice did not come under discussion.

2084. If your notice did not come under discussion one day, why did it not come on the next?—It did stand for the next day; but standing low, with reference to the general business, it was not discussed.

2085. Your notices seem to be unfortunate, always being so low as not to be discussed?—Certainly once or twice they have been unfavourably placed, and the business brought forward by the secretary at the board took such precedence as prevented their being discussed, and on one occasion the board was broken up at the moment I had begun to bring them forward; but the discussion of this particular notice was latterly postponed positively from the length of the discussion that had occupied our time on business which I should not have wished postponed. With

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regard to the production of those general reports, as our secretary is in the room would beg leave to suggest that the honourable Chairman should ask him some questions in regard to them, because he informed me, at the last board, he should resist most strenuously my motion for the production of general reports.

2086. Did he state any reasons for it?—None whatever.

2087. Were you present when any order of the board was made for expending 1,500 *l.* upon books?—There was no order for expending that sum upon books. That sum was expended, not at once, but is the amount of several payments put together.

2088. Under what authority was that expenditure made?—Under no direct authority that I am aware of; under the discretionary power with which the secretary seems to be invested.

2089. It is stated in the return, that they were purchased for the school of young transcribers; where does this school exist?—There is no such thing.

2090. Do you know by whom it is superintended; who is the master; have you ever heard of the master of the school?—I know what is meant by it, but I contend that no such thing as a school of transcribers exists. There may be the semblance of such a system; but this being but the semblance, and not the reality, the expression is the more to be reprehended, as tending to mislead Parliament, to whom the return is made, and the commissioners, and the public, into the belief that an institution exists which in reality does not exist, and that a species of control is exercised by us over a set of young clerks and transcribers that might be very beneficial. But this control is never exercised; those young clerks specified as a school of transcribers, being nothing more than clerks to Sir Francis Palgrave or Mr. Black, and wholly under the power of those sub-commissioners or editors, and not under the superintendence or protection of the board. They are selected, engaged, retained and dismissed at the pleasure of their said employers.

2091. Are you aware of a dispute that has lately arisen, between Mr. Cooper and Mr. Cole, about the remuneration of the latter?—It came under the notice of the board on the 18th of December.

2092. Are you aware that Mr. Cooper, in a letter published in the pamphlet of Mr. Cole, states to Mr. Cole, "All that you have received beyond a certain sum has been paid on my individual responsibility, not only without the sanction of the board, but in contravention of its order"?—I have seen the original letter of which that is a copy, and I have had that statement put unto my hands as a commissioner.

2093. Did Mr. Cole write to you in consequence of that?—He did.

2094. Did he subsequently, on the 25th of November, ask you to give him the exact words of the passage in Mr. Cooper's letter to you?—He did.

2095. Are these the words: "You are quite wrong in supposing I have increased Mr. Cole's salary, or given him any emoluments inconsistent with what passed at the board. Sir Robert Inglis and the other members objected only to an increase of salary, but not to any additional emolument arising out of transcribing done out of office hours." How do you reconcile those two statements?—I do not reconcile them.

2096. Do you consider them quite inconsistent with each other?—Wholly.

2097. And that Mr. Cooper gave you information upon the subject inconsistent with his own subsequent statement of the fact?—If that question is put to me, I must say that I do. I must say that I do think so, because I gave information to a gentleman who (whether a sub-commissioner or a clerk of Mr. Cooper's) was performing the most important duties of a sub-commissioner, on a faith in my representations. I believe that he received his remuneration, and he appealed to me subsequently, as a gentleman, to learn whether the statement I had made was strictly true. I felt myself therefore honourably obliged to state to him the authority I had for giving him that information; and subsequently I thought, considering the painful situation in which he was placed, I was authorized to give him the exact words of the communication to me. I was also placed in the very painful situation of having my word questioned, as to the information I had given him relative to the remuneration to be given him, whom I considered to be a sub-commissioner.

2098. Then in this instance you seem to have been entirely misled by the information given you by the secretary?—I certainly had not that information given to me which I can reconcile with the account which was given of the same transaction and the same engagement to the sub-commissioner or clerk in question.

2099—2100. Did Mr. Cooper, in his letter to you, call Mr. Hardy and Mr. Cole sub-commissioners?—I really do not know whether I am quite authorized in giving information out of correspondence which may, in some degree, be considered private between Mr. Cooper and myself.—[Mr. *Cooper*. Do not consider it private.]—I was going to say I did not consider it myself of a private nature, inasmuch as I never communicated with Mr. Cooper upon any thing except upon the affairs of the board; and Mr. Cooper having now stated he did not consider it private, I have no hesitation in saying he used the words sub-commissioners, both with regard to Mr. Cole and Mr. Hardy.

2101. Do you consider there is an important difference between the sub-commissioners and the other persons employed by the board?—Yes, I know there is a very important distinction to be drawn between them. I have suspected for a year and a half that such a distinction was of very great importance to the parties to whom it was attached; but at the commencement of our proceedings I was not aware that when persons ceased to be sub-commissioners, they became or would be considered as clerks, thus solely dependent upon the secretary, and thus deprived of the protection which is afforded to sub-commissioners by the words of the commission, which render the authority of the board necessary for the dismissal of sub-commissioners.

2102. Do you recollect to have seen D'Israeli's Curiosities of Literature mentioned in the books published by the commission?—I think I am aware of what the honourable Chairman is alluding to, and therefore I would say, if Mr. Cole has stated that I said that I had seen it, I am willing to admit the truth of the assertion, but my memory is faint with regard to that. Mr. Cole knowing my sentiments from my printed letter, with regard to the affairs of the commission, communicated at one time very freely to me his opinions upon the conduct of our affairs, in some points coinciding with my letter. The subject of one conversation was the purchase of books for the use of the sub-commissioners and clerks, and he mentioned some work to me of a topographical character as being one which he thought useless, and I rather believe I said I did not consider it a useless work: "There are other works," I added, "which I should think more objectionable, if that is objectionable;" and I think I said, "I wonder whether D'Israeli's Curiosities of Literature are useful to you in the course of your miscellaneous arrangement," thinking it was as likely to be useful to Mr. Cole in his varied work, as to any other individual.

2103. Is it your impression from your recollection, that D'Israeli's Curiosities of Literature was a work purchased by the commission?—My impression is that I saw it in the bills that were subjected to me as an auditor.

2104. Did Mr. Cole inform you he was the author of a Letter on the Exchequer Records, about the transference of the records to the King's remembrancer?—Yes, he did.

2105. Did he say it had been written at the desire of Mr. Cooper?—Yes.

2106. Do you know whether the board sanctioned it?—No; it was produced at the board one day as a pamphlet written by somebody, and copies of it were distributed by Mr. Cooper to the commissioners, but there was no sanction of it.

2107. Do you know whether the board paid for it?—I do not know. I recollect, when I heard from Mr. Cole that the work was to be written by him and printed, I protested in very strong terms against it, thinking it a very injudicious mode of correcting the evils of public offices. I may refer to what I have stated before; if these evils existed, the commission had the power to correct them in another way, and if we had not, we ought to have gone to Parliament for more extensive powers. I thought that if that pamphlet was written by a sub-commissioner or a clerk, it must probably be paid for by the commissioners' money, and as it could not be paid for openly, it must be paid for in some concealed way; and I stated these reasons to Mr. Cole in very forcible language.

2108. Do you suppose it was paid for in a direct manner?—I really know nothing about it, except that Mr. Cole made some statement with respect to a pecuniary transaction with Mr. Cooper at that time, and something as to the mode of payment, of which I have not any definite recollection. I can only account for my want of an accurate recollection of what Mr. Cole said, by saying that I attended little to any further statements, the conviction upon my mind being that the whole was a transaction that ought not to have taken place; and being an acquaintance of Mr. Vincent, I was the more annoyed at the publication of a letter of that character, apparently originating with a commission of which I was a member.

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2109. In the last Agenda there is a notice of yours about the general report: what was your object in giving this notice?—I had accidentally become acquainted with the general report, and I thought, from the specimen submitted to me, it was not judiciously compiled, and printed in a larger type than was desirable to be adopted; and I had also entertained a very strong opinion against the publication of any large report, while the records are in their present confused state.

2110. What is this general report?—I do not know; but as far as I saw, it consisted of returns very much resembling those reports made to the former commission. I wished the commission to become acquainted with the probable contents of this work, to discuss the propriety of the insertion of these returns, the nature of the different reports submitted to the secretary, and the type that should be adopted; the whole appearing to me to be a subject on which the commission had not been put in possession of the proper information.

2111. Why is it printed in folio?—Because, I suppose, the last report was in folio.

2112. For whose information is it printed?—For public information; but nominally it is the report of the commissioners to the King in Council.

2113. Who pays for it?—The public.

2114. Is it not paid out of the funds given to the commission?—No, it is to be paid for, as I was told by the secretary, out of the same fund as any other Parliamentary document.

2115. By whose authority is it printing?—That is exactly the point I wish to ascertain.

2116. Who is the editor?—I suppose Mr. Hunter is the editor; he has the proof sheets, and it was to him I applied for the proof sheets.

2117. Is it submitted to the commissioners before printing?—I conceive none of the contents have been submitted to the commissioners before printing, and it was under that impression I put my notice upon the Agenda.

2118. Do you mean to say that a general report of the proceedings of the commission is being printed, without first being submitted to the commissioners?—Right or wrong, that is the position I conceive the report to be in.

2119. Do you know by whom the different parts of the report are composed?—The report itself I know nothing at all about; I only see in the petty-cash book, so much for Mr. Cooper's coach-hire on the general report. The returns from the different offices have been put, as Mr. Cooper told me, into the hands of the Rev. Joseph Hunter, and I saw at Mr. Hunter's house, or at Mr. Cooper's, I forget which, something like a digest or arrangement of those returns. I know nothing more in regard to the report and the general arrangement of the appendix, than I have stated.

2120. Are there not reports from each of the offices?—There are returns from each of the offices, and returns from Mr. Cooper's clerks or sub-commissioners, with respect to other offices.

2121. Are these reports sent to Mr. Hunter?—I suppose they are.

2122. Does he print them as sent in to him, or make alterations in them?—I presume he makes alterations in them.

2123. Are those alterations submitted to the parties who make the general report?—No, I think not: in the case of Mr. Cole, it appeared to me there was an intention of making very considerable alterations that were to be concealed from him.

2124. Was it to bear Mr. Cole's name?—Yes.

2125. The Right hon. *C. W. W. Wynn.*] Do you remember attending the board upon the 17th of May 1834?—It appears from the minutes I was present.

2126. Do you remember there that the general report to His Majesty was produced?—I see now, in the minute-book, that the general report to His Majesty was produced, but certainly my memory does not serve me to say what was produced, or what discussion took place. I am quite sure of this, that the report was never read at any board at which I was present.

2127. Together with the report of the Rev. Joseph Hunter, upon the returns intended to be comprised in the general report; and that an order was then made that Mr. Hunter do proceed in the arrangement of the returns, and to draw up heads of the proposed report?—That appears, as I now see, in the minutes. I had entirely forgotten the transaction; but, as well as my memory serves me, no printed documents were then produced, and the object I had in view, in giving my notices on the 18th of December and 27th of January, was to bring the printed work under the

the notice of the commission. I will beg leave to add, that as it appears my memory does not serve me for the entry in our minute-book, this is another instance of the bad effects of our not having any synoptical table of the business conducted under the board; and, as I have repeatedly urged, renders it impossible for commissioners to say what is doing or not doing under the board, and places them in a very foolish position.

2128. Sir *Robert Inglis.*] You have stated, in answer to a late question, that you think that the report to be furnished by Mr. Cole was to bear his name; was that statement made in consequence of any order of the board, or from your general understanding and belief?—From my general understanding that it was to bear his name, as the person arranging the records in the office; and upon the specimen sent me the name of Henry Cole appeared.

2129. Do the names of the persons who drew up the reports generally appear?—Yes, I believe they certainly do; the only report that I saw proceeding from any one immediately connected with our board was that of Mr. Cole, and I happened to become subsequently interested in the fact of whether Mr. Cole's name appeared there as a sub-commissioner or not, as the name of sub-commissioner had been struck out by Mr. Hunter or Mr. Cooper, without the fact having been communicated to Mr. Cole, whose interests were vitally affected by the omission of this title.

2130. *Chairman.*] Do you know whether any other name was signed to it?—No, no other name could be signed to it; at the commencement of the report I saw the name of Henry Cole. I beg leave to state to the Committee, and for the information of the commissioners present, that my object in asking for the proof sheets of the report was that I might become acquainted with the way in which certain transactions with which I was connected were mentioned in that report. I had been informed by Mr. Cole that all that took place at the fire of the Houses of Parliament, with respect to the Augmentation Records, would be mentioned, and I was afraid more details were entered into than was necessary, and I wished to have an opportunity of suggesting to him to strike out any unnecessary passages.

2131. You think, on the whole, that Mr. Cole has not been well used about this report?—I do not know how Mr. Cole was subsequently treated with regard to that, but I think there were some expressions in a letter submitted to me by Mr. Hunter calculated to mislead Mr. Cole, and to induce him to think that all the documents, and his included, would be submitted to the commission; whereas Mr. Hunter in making use of the word commission, explained it afterwards to me to mean himself only, who was the representative of the commission, and the person to whom those reports were referred by the commission. I believe that subsequently Mr. Cooper disapproved of any alterations being made in Mr. Cole's report without Mr. Cole's approval. But I since understand that Mr. Cole has not seen his reports in print, and has been refused altogether any means of knowing their state.

2132. What is the secretary's salary?—£. 500 a year.

2133. Is that all that he receives from the commission?—All he receives in the way of direct payment.

2134. Are any other payments made you would consider in the nature of payments made to him, or additional emoluments?—As additional emoluments, I conceive, not one additional payment; there are such as coach-hire, and there are other payments that may be considered to be fairly comprised under the expenditure of the secretary's establishment, for conducting the business of the commission, clerks, house rent, coals, candles.

2135. How much does the secretary altogether cost the commission?—If the question refers to the establishment, I should say, as far as I could judge, I mean as to the amount, between 1,200 *l.* and 1,300 *l.* a year; but other persons might make it more, and others much less; it depends upon the items that you choose to class under one head, it being fully understood when I state from 1,200 *l.* to 1,300 *l.*, I do not mean that the secretary has emoluments beyond 500 *l.* a year salary.

2136. Sir *Robert Inglis.*] Will you be so kind as to state the details which constitute, in your judgment, the aggregate of 1,200 *l.* as the sum which the secretary costs the commission?—I very much regret that this is the only day I have not brought down my papers and my analysis of the expenditure to the committee-room. I was not aware that I was going to be examined upon this point to-day; but I believe I may state, roughly, that I have included under this head the secre-

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tary's salary, various clerks, Bennett, Wylde, Smith, Dr. Drescher, copying clerks, housekeeper and porter, coach-hire for the secretary particularly, and some other items. It is to be clearly understood, that in making this calculation I do not characterize it as the expense upon the secretary, but simply as a branch of our expenditure which may be classed under one head.

2137. With the permission of the Committee and Chairman, you will be so good as to furnish the Committee with the details?—I am perfectly unable to furnish the Committee with the details, because I protest against any analysis of the accounts I have taken being brought forward in evidence, inasmuch as I have had no opportunity of making it as correct as it requires. I put in these as very rough calculations; at the same time, I will furnish the Committee with those items that I believe to be accurate; but I must beg the Committee to understand that I do not put them in as the result of an analysis which entirely satisfies myself.

ESTIMATE.

	£.	s.	d.
Secretary	500	–	–
Clerks	302	18	6
Porter and laundress	71	–	–
House rent	70	–	–
Repairs of same house	382	15	–
Coach-hire for secretary alone	48	9	4
Candles	28	15	–
Coal	21	10	–
Furniture	49	2	1
£.	1,474	9	11

Sic in orig.

Items included in 232 *l.*

	£.	s.	d.
Mr. Bennett, letter copier	63	1	6
Smith, keeper of accounts	55	–	–
Drescher, foreign corresponding clerk	70	–	–
Wylde, copying clerk	50	–	–
Mitchell, another	21	–	–
Bell, another	13	–	–
Gunton, another	6	–	–
Leaver, another	21	7	–
Hardiman, another	3	10	–
£.	302	18	6

These persons are not engaged on record transcriptions.

To the above, some part of the following items should be added:

	£.	s.	d.
Coach-hire, postage and porterage, charged together	110	17	11
Postage	35	4	3
Postage, porterage and carriage	124	3	–
	270	5	2
	1,474	9	11
£.	1,744	15	1

In the above calculation stationery is not included, nor small gratuities to servants and workmen. The amount of stationery is 31 *l.*

2137*. The Committee will receive them singly, as the materials upon which you have drawn the calculations that 1,200 *l.* is the aggregate sum expended by the commission upon the secretary's establishment, without considering that that is the precise sum, but that that is the sum which, with the materials before you, you have considered to be the fair result of your inquiry?—I shall be very glad to furnish the Committee with the calculation on this understanding.

2138. The Right hon. *C. W. Williams Wynn.*] With respect to the printing of the

the appendix to the general report of the board, it stands upon the minutes that the attention of The Speaker was drawn to this matter, in order that he might, when applied to, direct a sufficient number of copies of the report and appendix to be worked off for the use of Members of the House of Commons; this passed at a meeting on the 1st of August last?—I see that is inserted in the minutes.

2139. Which minutes were afterwards, at a meeting of the 18th of December, at which you were present, read and confirmed?—Yes, it so appears; I am ready to admit that my recollection does not serve me for all that has passed at every board; and I view instances of my want of recollection as no bad illustrations of the great necessity there is of the documents that I have required for the instruction of the commissioners. As far as the question of the Right hon. Gentleman refers to my motion on the 18th of December and the 27th of January, I think these previous minutes, with respect to the general report, are not contradictory to my statements; my impression being that the question has not been sufficiently discussed. I should, if our board had met, have repeated the same notice, inasmuch as the only opportunity I have had of examining the general report has produced dissatisfaction in my mind as to the arrangements of the reports contained in it, and the mode of printing. I still think it is a matter that deserves the serious consideration of the board, or re-consideration, if it has been discussed before, and not, as I believe, passed over as merely formal business.

2140. Was not this business also mentioned in the Agenda, circulated among the members generally?—I believe it occurs frequently in the Agenda.

2141. *Chairman.*] But you do not seem to have acquired much information from all those entries in the minutes?—No; but nevertheless I will not affirm that I may not be apparently censurable for not having given more attention to the notices in the Agenda or the general report. A more minute attention might have led me at that time to express opinions which I thought it would be desirable to communicate to the board latterly.

2142. Do you think you are to blame?—No, I do not. The minute-books are numerous and bulky; they are not in the commissioners' hands; there are no helps for reference, and these entries are no proofs of discussion.

2143. On those occasions when the report was produced, was it read, or in the hands of the members?—I do not remember having seen any part of the report in type. I will not say it may not have been produced; and, if produced, I ought possibly to have seen, and might have had an opportunity of considering it; but even if it had come under my notice in type at that time I should not be ashamed of proposing a reconsideration of it to the board. I had subsequently read the report of Mr. Hume's Committee upon the expenditure of printing for the Houses of Parliament, where an economical mode of printing is recommended. With this it was impossible for our board to be acquainted at a former period; and hence one, and a very good reason, in my opinion, for taking the general report into consideration, even admitting, which I certainly do not, that it had received all the requisite examination.

2144. Sir *Robert Inglis.*] You have stated the names of certain individuals as clerks in the establishment of the secretary, Mr. Wylde, Mr. Bennett and Dr. Drescher; can you state to the Committee that they are regular salaried clerks, employed permanently, or whether any of them were transcribers, employed as the circumstances of the commission might have required?—I hope it will be understood that in placing this expenditure directly under the head of the secretary, I do not mean anything invidious to Mr. Cooper. In answer to the question put to me, I should say that I conceive Smith to be a regular clerk, at 50*l.* odd per year, in the employ of Mr. Cooper, as an accountant for the business of the board; that Bennett is a regular copying clerk; and Dr. Drescher may be considered to be almost a sub-commissioner, as having, I believe, materially helped to compile Appendix (A) to the Report on the Fœdera, and not a clerk, except as conducting the foreign correspondence; and that other individuals appear to have been hired at different periods, some for shorter periods, some for longer, and others to be employed on job or piece-work. Putting all the salaries or payments of all those individuals together, I made the calculation upon which my former statement was based.

2145. *Chairman.*] It would appear from your answer that you are, on the whole, very much dissatisfied with the conduct of the commission?—Yes; I cannot say that I have been satisfied with our mode of doing business or accomplishing the objects of the commission.

2146. And, on the whole, almost since the commencement of the commission, you

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you have been in a state of opposition upon many points to a great portion of the commissioners and the secretary?—Yes; but I had the pleasure of agreeing at the commencement most cordially with Mr. Cooper in his efforts to reduce the extravagant and ill-merited salaries of several of the old sub-commissioners, and I heartily approved of the system upon which he was proceeding. We have subsequently differed entirely as to the mode of keeping the accounts, and the desirableness of producing certain documents that I thought useful for the instruction of the commissioners in the discharge of their duty; and it does not appear from the mode in which the notices were received in November 1833, and from Mr. Cooper's communications to me, that these views of mine had met in any degree with the approbation of the commission until November 1835, when the Chancellor of the Exchequer proposed a new system of keeping the accounts, which was almost the same as that which I should have submitted to the board.

2147. Sir *Robert Inglis.*] On a former examination you stated you had not attended the meetings of the commissioners, in consequence of your own ill health, for the first year after the period of your being inserted in the commission, but from the period when you joined the commission, with few exceptions, you have considered yourself as in opposition to the general conduct of the commission?—I have expressed from a very early period my decided dissatisfaction at the mode of keeping the accounts by the secretary; and I have endeavoured, from a very early period, to induce him to alter his system. From my observation of the proceedings of the board and the feelings of the commissioners, I viewed the secretary as the chief authority in the commission; as an individual to whom not only the common business of the commission and the keeping accounts was left by the board, but to whom the general control and management of the affairs were delegated. I therefore limited my efforts at the first to endeavouring to convince Mr. Cooper that it would be better to adopt another system of keeping the accounts.

2148. The answer refers principally to the accounts, the question referred to the general conduct of the commission; and are this Committee to understand that you have approved or disapproved, generally speaking, of the conduct of the commission since you became yourself an active member of it?—I think the commission has not been as efficient as it might have been. I have instanced the imperfect manner in which we have proceeded to effect an arrangement of records, and our omission of all reform as to fees in and access to record offices. The board has always appeared to me to surrender too large a portion of its authority, and almost the whole of the management, to the secretary. This, I hoped, would have been corrected by the production of quarterly reports, and correct statements of works being done, and details of agreements with editors; and I have now frequently urged their production, at the board as well as in my correspondence with the secretary, from the very first year of my attendance at the board. But my exertions have certainly been chiefly directed to effect a change in our mode of keeping accounts. To that point my attention has naturally been more directed than that of other persons, since if I owe my place on the commission to one cause more than another, it is to that of my having drawn the attention of the public to the injudicious course of former commissioners by the motions I made for returns of their expenditure. I am quite persuaded that an accurate and clear system of book-keeping is not simply the best, but the only preservative against jobbing, and that it eventually forms the best guide in ascertaining the proper remuneration to be given to persons employed under any commission.

2149. When you say you have limited yourself generally to the financial operations of the commissioners, are the Committee to understand you have not frequently called the attention of the board of commissioners to other subjects, for instance, on the 18th of December last, to the case of Mr. Cole?—It is quite a mistake to suppose that I brought Mr Cole's case, or that of Mr. Hardy, under the notice of the commissioners; they were brought under the notice of the commissioners by the secretary. I had nothing whatever to do with these cases, except that my name occurs in Mr. Cole's memorial or letter. I subsequently made a motion to reinstate Mr. Cole as a sub-commissioner; but with the case of Mr. Cole or Mr. Hardy I had nothing whatever to do, as supposed in the question.

2150. *Chairman.*] But upon that case as well as many others you were in a minority?—I was not only in a minority, but stood singly against the other commissioners present, not, however, on the question, whether the complainants were sub-commissioners, for I agreed without hesitation in the decision of the board that they

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they were not sub-commissioners, for there was no minute to be found of their appointment. The question on which I was in a minority was, that Mr. Cole be appointed a sub-commissioner. He had, in my opinion, been virtually acting in that capacity, and I saw nothing in his conduct which should deprive him, after such long service, of the title and the protection it afforded.

2151. Sir *Robert Inglis.*] Upon that occasion, when you stood singly against the commissioners, the minutes of the board now upon the table show that there were present his Grace the Archbishop of Canterbury, the Right hon. Lord Brougham, the Right hon. Secretary of State for the Home Department (Lord John Russell), the Right hon. Chancellor of the Exchequer (Mr. Spring Rice), the Right hon. Mr. Justice Bosanquet, Sir R. H. Inglis, bart., L. H. Petit, esq., H. B. Ker, esq., Henry Hallam, esq., John Allen, esq., Edward Protheroe, esq., E. V. Utterson, esq., and William Brougham, esq. Does your recollection supply you with any names that are not there entered as being present, or any names there entered who were not present?—No.

2152. Then you stood alone against those members of the commission?—Yes, I stood alone; but subsequent consideration has not induced me to alter the opinion I then entertained of the cases submitted to the board. I should be the last man, I trust, who would set up his judgment against the individual or collective opinion of many of the commissioners then present. But that array of great names does not, nor ought it, to disturb my mind when called upon to decide a case between man and man. Perhaps, being habituated to Parliamentary opposition, I did not despair that the opinions of a minority, however small, in our commission, might become, like that of many a small minority of the House of Commons in which I have voted, the principle and rule of action of the majority. Allow me to say, that I view that list as a very fallacious test of the weight which is to be attached to the decision of the board in question. Some of those commissioners very rarely attended, and took no part in our affairs; others had never attended on any other occasion; and some, as the Ministers of State, cannot be supposed to have entered into the details of the memorials, or to have been possessed of the previous acquaintance necessary for coming to a decision on their merits. I must recal to the memory of the honourable Baronet, that Lord Brougham himself expressed strongly the impossibility of entering into the correspondence, after having made a remark on one letter of Mr. Hardy's. The attention of the board was directed, and its judgment called for, on one point alone, whether the complainants were sub-commissioners or not; and it having been decided that they were clerks of Mr. Cooper's, and dependent on him, the board did not enter into that other question, to which I should have wished its serious attention, the merits of the matter at issue betwixt the secretary and Mr. Cole and Mr. Hardy. Those gentlemen had acted as sub-commissioners of the most important and confidential character, and were, in my opinion, as much entitled to the protection involved in a direct dependence on the board, as if they had been named sub-commissioners by the board.

2153. *Chairman.*] You made some remark about Lord Brougham; you think the value of his Lordship's decision in that case is rather lessened by his not knowing so much of the matter as he might have known?—I am satisfied, as I said before, that his Lordship's decision was formed upon the single view of the complainants being technically clerks immediately subordinate to the secretary, who, contrary, in my opinion, to the spirit of the constitution of our commission, had managed to engross to himself their appointments; and this question of Mr. Cooper's authority, seems alone to have been discussed and canvassed at the board. At least, the contents of the memorials affecting the character and the livelihood of two of the cleverest and most efficient gentlemen in our service, did not undergo that attention, consideration and discussion, which I thought and contended they deserved.

2154. Sir *Robert Inglis.*] Are the Committee to understand that Lord Brougham stated he had not read the memorials, or merely that there was not time to read them publicly, every member present, it being to be presumed, having received in regular circulation such copies?—What was stated by Lord Brougham did not indicate whether he had or had not read the whole of these documents, which I take for granted were previously sent to him as to other commissioners. It is but justice and courtesy to Lord Brougham, and to every member of the commission, to presume that they had read the memorials before they rejected them. But undoubtedly the expressions which fell from Lord Brougham, indicated that he treated the applications in the light of angry letters from clerks to their employers.

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and did not view these as cases in which it was the duty of the commission to interfere.

2155. *Chairman.*] Do you think that the members of this commission have done any great deal of good?—The commission has not been as efficient, I think, as it might have been even with its present powers, and certainly not as effective of good as it would be with increased authority; I am, however, far from being of opinion that it has not furthered the objects for which it was appointed, in some degree.

2156. Did you ever think of resigning?—I confess that I did for a short time contemplate such an act. I was at that time excessively dissatisfied on the subject to which I have been obliged to allude so frequently, the keeping our accounts, and the impossibility of obtaining any definite information as to the whole of the works done in the name of the commission. In these and some other matters, such as an extension and better system in the management of records, and a reform in the mode of access to the records, I felt that I could not effect what I thought desirable, and I was peculiarly desirous of not being supposed to approve of a system which admitted so much concealment of our proceedings and expenditure. But I soon rejected any idea of resigning, as unwise and as a dereliction of duty, and trusted to steady remonstrance and quiet argument for effecting the change I humbly thought so very necessary.

C. P. Cooper, Esq., called in; and further Examined.

[*The Witness delivered in a paper.*]

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I LAY before the Committee a statement, which although it is a summary only of certain proceedings of the board, is much too long to form a part of the *vivâ voce* evidence of the secretary, and it is therefore requested it may be inserted in the Appendix: it relates to those departments of the labours of the commission which the Committee had, down to the middle of my examination on Monday, made the principal topics of their inquiry; namely, the state of the principal record repositories, and the measures taken by the board for preserving the records, and rendering the use of them more convenient to the public. This statement is drawn up from the minute-books, and is principally designed to fill up the gaps unavoidably left in testimony elicited by questions for which I found myself unprepared. It relates to the information procured as to the condition of the records in the record offices, the regulations observed in them, and the emoluments of the keepers: to the personal inspection of the offices by the commissioners, the steps taken in consequence of the information acquired, both as regards repositories and records in masses: to the changes suggested by the board in respect to the records of the Chapter House, Somerset House, the King's Mews, and the Rolls Chapel: to the appropriation of the Rolls House, Chancery-lane, to the reception of records: to the King's Bench records, the records of the Pipe-office, and the Lord Treasurer's Remembrancer's-office, the Common Pleas records, the King's Remembrancer's records, the records at the Tower, the records of the office of Land Revenue for England and Wales, the records in the office of Clerk of the Pells, and the proposal for a general record-office: to the sorting, arranging, repairing and binding of the records in the Chapter House, the Augmentation-office, the Duchy of Lancaster-office, and the Rolls Chapel, as also of the King's Remembrancer's records, the Pipe Rolls, the Chancellor's Rolls, and the records at the Tower: to the calendars, indexes and catalogues formed of records and manuscripts at the Tower, Chapter House, and the Augmentation-office, of the Parliamentary Surveys at Lambeth Palace, the manuscripts in Lincoln's Inn library, and the Dodsworth manuscripts at Oxford: to the private indexes to records: to the establishments, officers and fees, and particularly to the offices of keeper of records at the Chapter House, and chief clerk of the record office at the Tower. Access to literary inquirers is the last head of the summary.

2157. *Chairman.*] Is there any other matter which you wish to state to the Committee?—Yes: in the course of my examination, I have been asked whether any inquiry had been made, or any communication with the Lord Chief Baron of the Exchequer had taken place, as to the officers of that court taking records to their own houses, and numbers of valuable records being by those and other means lost, and others publicly sold at the death of officers of the court, as their private property: to this question my recollection did not enable me at the time to make a satisfactory answer, but I am now able to furnish the Committee with proof that these matters were not neglected. For this purpose it is only necessary to refer to

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page 249 of the printed Agenda. The records so lost and stolen were the miscellaneous records of the King's Remembrancer's-office; and it will be recollected that the commissioners began the cleaning, sorting, and repairing of these as early as February 1832, but in order effectually to prevent any further spoliation, they finally resolved to take all such records under their temporary charge; and on the 14th of March 1833, a letter was addressed to Lord Lyndhurst, stating that they had ascertained that great loss by damp, decay and theft, had accrued to the records in the King's Remembrancer's-office, then deposited in the King's Mews at Charing Cross, and requesting that all the unarranged records in that depository, not belonging to the Court of Exchequer as a court of equity, might be forthwith placed under the custody of the board, the commissioners undertaking that the same should be kept in a place of security, and to have them cleaned, sorted and calendared. A similar letter was also addressed by order of the board to Mr. Vincent, the King's remembrancer, and a third to Mr. Spring Rice; and the result was the Treasury warrant relative to the miscellaneous records in this department, which has already been delivered in.

2158. What are these volumes I have before me; the appendixes from A. to E. inclusive, to the report on Rymer's Fœdera?—They have been produced in consequence of the order of this Committee that copies should be laid before it of all works printed by Messrs. Roworth & Son, both those complete and those in progress.

2159. What are these works?—They are portions of the appendixes to the report upon the expediency or inexpediency of continuing the great work of the new edition of Rymer's Fœdera, to the final completion of the plan on which it was at first projected, and on which it has hitherto been conducted; and also of the materials either fit for insertion in this work, or illustrative of the history and ancient literature of the British Isles, existing in foreign archives and libraries.

2160. Under what authority is the commission collecting materials for a history of the British Isles?—Parliament, in confiding to the commissioners the compilation of a work resembling Rymer's Fœdera, must have of course intended that they should have authority to collect such historical materials. The superintendence of the work, usually styled the materials for the History of Britain, was given to the present board by a letter of Lord Melbourne, when Secretary of State for the Home Department, dated in May 1831.

2161. Will you let the Committee have that letter?—There is in the Agenda, p. 201, an extract from the letter addressed by Sir Robert Peel to the old commissioners; that letter was written in November 1822. The letter of Lord Melbourne was to the same effect.

2162. That is founded upon the vote of the House of Commons in July 1822?—The letter was written in consequence of an address of the House of Commons to the King, presented in July 1822.

2163. The address represents that the editions of our works by the ancient historians are incorrect and defective, and many of their writings still remain in manuscript, and in some cases in a single copy only, and that a uniform and convenient edition of the whole, published under His Majesty's royal sanction, is recommended; and the House therefore humbly besought His Majesty to give such directions as His Majesty in his wisdom might think fit, for the publication of a complete edition of the ancient historians of the realm: do you suppose that the term 'our ancient historians' applies to any but the historians of this country?—Persons learned in history and antiquities have considered that such an address has conferred an authority, not only to print histories or chronicles written by natives of the British Isles, as Bede and Florence of Worcester, but also those composed by foreigners, as Geffrei Gaiamar, Wace and Titus Livius Forojuliensis; nay Excerpts from the classic writers, as Cæsar and Tacitus, have been deemed to be a necessary part of a collection of materials for our ancient history.

2164. Do you mean to say, upon this authority, you would have been justified in publishing editions of Cæsar and Tacitus?—Not in publishing entire editions, but only such portions of their writings as relate to the British Isles. Pinkerton, in his address respecting a similar publication, to be entitled "Rerum Anglicarum Scriptores," says, in a compilation of a work intended to be complete in itself, and to present to the reader an universal body of ancient English history, it appears indispensable, and is consonant to the opinion of the best judges, that those parts of the Greek and Roman writers which relate to this Island, should be extracted: and he adds, that the extracts from Cæsar should be collated with the editio princeps,

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ceps, and others, the best editions; and that a similar care should not be wanting in regard to Strabo, Tacitus, Herodian, the Panegyrists, Ammianus Marcellinus, &c. Of Ptolemy's Geography, the original of which was published from a bad manuscript, by Erasmus, he observes, valuable variations have been printed by Montfaucon, in his Bibliotheca Coisleniana; and the third volume of the minor Greek geographers presents various readings of Guido of Ravenna, all of which, and in short all the latest discoveries concerning the extracts used, should be carefully given. Mr. Petrie has, in conformity with this opinion, printed Excerpta de Britannia, from all the Greek and Latin writers, beginning with Herodotus, and ending with Suetonius. He has also printed inscriptions on marbles, containing names of places, or of offices, &c., relative to Britain. It was his intention to collect all the legends of Roman coins connected with it, and to incorporate them in the work; indeed he proposed at one time to add a list of the different Roman coins found in this country. Nor were the Excerpts to be confined to the classic writers: it was part of Mr. Petrie's plan, that a selection of all notices touching Britain should be taken from foreign authors of a more modern date. The oriental historians and chroniclers, who have written of the Crusades, would of course enter into the collection.

2165. Has this work been confided to Mr. Petrie?—It was confided to him until recently; the Rev. John Sharp was a co-editor with him.

2166. Is he no longer the editor of it?—The work is suspended.

2167. Why has it been suspended?—The delay in bringing out the first volume is the cause: the printing of it commenced in January 1830, and on the 26th December 1831, 664 pages had been worked off. In May 1831 an order of the board was made, appointing Mr. Petit and Mr. Allen a committee to make some inquiries respecting the work, and they reported it to be sufficiently in conformity with the address of the House of Commons to warrant the prosecution thereof, and that it was desirable that the same should be continued. The volume not having, according to expectations created, been completed in March 1833, the statement printed in the Agenda, pages 201–226, was drawn up by the secretary; and on the 1st June ensuing an order was made by the board that Mr. Petit, Mr. Hallam, Mr. Allen and Mr. Protheroe should form a committee to inquire into the progress made in the work in question, the manner of its execution, the expenses incurred, and the arrangements made for its prosecution for the time to come. The death, too, of Mr. Richard Price, the editor of the Anglo-Saxon portion of the work, having been reported at the same board, the secretary was ordered to write to Mr. Petrie, and inform him that it was the desire of the commissioners that he should not enter into any arrangement for supplying the place of Mr. Richard Price. The proceedings of the above-mentioned committee will be found printed in the Agenda, pages 423–428. On the 8th February 1834, the subject of the materials for the History of Britain was again brought before the commissioners, when a letter was read from Mr. Petrie, in which, in answer to an inquiry made with respect to the time when the first volume might be expected, he stated that his state of health (though somewhat improved) forbade him to offer any conjecture as to the period, but that should he be restored to anything like his former condition, he had good reason to hope that a few months would be sufficient for its completion. It appears from the proceedings of this board of the 8th February, that the commissioners directed the secretary to write to Mr. Petrie and Mr. Owen, as to the cessation of the salary which the latter gentleman had at that time received as editor of the Welsh Laws and Chronicles, and as to a new arrangement respecting his future remuneration. The secretary was also instructed to inquire from Mr. Petrie whether the prologomena to the materials for the History of Britain were ready for the printer. At the meeting of the commissioners that took place on the 22d March 1834, letters were read from Mr. Petrie and Mr. Owen, and Mr. Petrie's annual report upon the materials for the History of Britain was also read, when it was ordered that the Bishop of Llandaff, Mr. Williams Wynn, Mr. Justice Bosanquet and Mr. Protheroe should form a committee to communicate with Mr. Petrie and Mr. Owen, and to inquire and report to the board the best means to be adopted to ensure the speedy completion and publication of the new edition of the Welsh Laws; also that Mr. Williams Wynn, Mr. Petit, Mr. Hallam and Mr. Allen should form a committee to communicate with Mr. Petrie and such other persons as they might deem it advisable to consult, and to inquire and report to the board upon the means which it might be most expedient to adopt to ensure the speedy completion and publication of the new edition of the Anglo-Saxon Laws; such committees

mittees were to have power to unite so as to form but one committee. On the 17th May 1834, the proceedings of these committees were communicated to the board, and it was then ordered that the prosecution and completion of the new edition of the Anglo-Saxon Laws should be committed to some Anglo-Saxon scholar competent to the task, who should be directly responsible to the board; and the secretary was authorized to propose to Mr. Thorpe to undertake the prosecution and completion of such work for a gross sum of 600*l.*, of which 50*l.* should be advanced quarterly until 400*l.* should have been paid; but the remaining 200*l.* was not to be paid until the whole work should be finished at press. And it was further ordered, that Mr. Anewrin Owen should for the future prosecute and complete the new edition of the Welsh Laws, independently of Mr. Petrie, and that he should receive for this task the sum of 600*l.*, of which 50*l.* should be paid every three months during two years, beginning the first of that month of May, and the remainder should be paid when the work should be finished at press. Mr. Owen attended the board, and undertook to prosecute and complete the work upon these terms; and Mr. Thorpe also, upon the secretary communicating to him the above resolution as to the Anglo-Saxon Laws, undertook to prosecute and complete the work upon the terms of the said resolution. Both these works, the new edition of the Anglo-Saxon Laws and the new edition of the Welsh Laws, are now proceeding in a satisfactory manner; and the commissioners have ordered that they shall be printed in octavo as well as folio; this will, as I have reason to know, be very satisfactory to learned men, historians, jurists and philologists, not only in this country but abroad.

On the 14th February 1835, it being stated that the first volume of the Materials for the History of Britain had been more than five years in the press, and that from information recently obtained there was no immediate prospect of its being finished, the secretary was ordered to desire Mr. Petrie to attend at the next meeting of the board to give verbal explanation of the delay in the completion of the work. Mr. Petrie accordingly attended at the meeting of the commissioners that took place on the 11th April, but no order was then made on the subject, it being understood that the Bishop of Llandaff would examine Mr. Petrie's papers and make a communication to the commissioners. This communication was made at the board of the 23d May, when it was ordered that the secretary should write to the Rev. John Sharpe (Mr. Petrie's brother-in-law, and co-editor with him of the Materials for the History of Britain) and represent that unless the first volume was speedily published, the board would be under the necessity of taking the editorship of the work out of their hands.

Mr. Sharpe's answer to the secretary's letter was read at the board of the 1st August 1835, when the commissioners directed the secretary to prepare the draught of a report from the commissioners to the Lords of the Treasury, shortly stating the facts connected with the delay in the publication of the Materials for the History of Britain, and suggesting that the further prosecution of the work should be suspended, with the exception of the Anglo-Saxon Laws and the Welsh Laws, or that it should be entrusted to other persons than Mr. Petrie and Mr. Sharpe. Of this report the draft was laid before the next board, which met on the 6th August last. The draft was in the form of a statement of facts for the consideration of the Lords Commissioners of His Majesty's Treasury, relative to the printing of the ancient historians of the realm. Upon that statement being read, it was ordered that the secretary should transmit such statement to the Lords of the Treasury, and that in case their Lordships should not disapprove of the suggestion, that the work should be suspended for the present altogether, or of the further prosecution of it being confided to other persons than Mr. Petrie and Mr. Sharpe; the secretary should inform Mr. Petrie that the board had resolved to take the work out of his hands, and should require Mr. Petrie to give up the whole of the transcripts, of which a list had some time since been furnished by Mr. Petrie, and also the transcripts of Anglo-Saxon charters, and any other transcripts not comprised in such list, together with the collated copies of books and other papers for the work, bought or acquired at the expense of the board; and the secretary was also to forward to Mr. Sharpe a copy of his letter to Mr. Petrie, communicating the above resolution.

2168. Has the opinion of the Treasury been obtained upon such statement?—It has.

2169. What was that opinion?—It was communicated in a letter of Mr. Francis Baring, which expressed the regret felt by the Lords of the Treasury that so little

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progress had been made in carrying into execution a design so important and interesting to the literature and history of the country, and that it was the opinion of their Lordships that it is advisable to proceed to carry it into effect; and that as that object was not likely to be effected by the further employment of Mr. Petrie, their Lordships considered that the work should be entrusted to some other person, under the superintendence of the Board, with the view of proceeding without any unnecessary delay.

2170. Do you think that Mr. Petrie was justified in making this collection of passages from Roman and Greek authors by the terms of the Address of the House of Commons, requiring a complete edition of the ancient historians of Great Britain?—I do; it may at one time have been doubtful whether the plan of Muratori was to be adopted or that of Dom Bouquet; but when the Address was presented it was pretty well understood that the latter would be preferred. The whole of the first volume of that noble publication, the Recueil des Historiens des Gaules et de la France, consists of extracts from the Greek and Latin writers.

2171. From what do you deduce that opinion, there being no mention made of Muratori or the other work in the Address of the House of Commons?—Of course I have no personal knowledge of what took place in 1822, but I have heard from Sir James Mackintosh and also from Mr. Allen, that the scheme of publishing a collection of materials for the ancient history of Britain originated with the late Lord Spencer, and that it was at his instance that the Government brought the matter before Parliament. When the plan of the work came to be deliberated, it was not surprising, therefore, that his Lordship's views prevailed; Lord Spencer preferred a Corpus Historicum to a Corpus Historicorum: Dom Bouquet to Muratori.

2172. Do you think, when the House of Commons uses such language as in this Address, it ought to be interpreted by the wishes of Lord Spencer?—It will be found when this Address was presented to the King that the Government was in possession of the "Outline of a Plan for collecting and publishing the Materials for the History of Britain from the Earliest Times to the end of the 15th Century." The date of that outline is the 5th March 1821; it gave occasion, as I have always understood, to the Resolution of the House of Commons and to the Address; and it was afterwards expanded into a "Sketch of a Plan for collecting, arranging and publishing the Materials for the History of Britain from the Earliest Times to the Accession of Henry the 8th." I would respectfully ask, whether, under these circumstances, it be very unreasonable to interpret the Address by this outline or this sketch of a plan?

2173. Then it was partly for the purpose of collecting materials for this work that the foreign collections went on?—No; it cannot be said that the foreign collections have been made for the purposes of the work called the Materials for the Ancient History of Britain; the Fœdera was the original motive for the searches now in prosecution in different parts of the Continent; and it is almost entirely, although not altogether entirely, with a view to that work that the collections have been formed. Mr. Petrie was the sub-commissioner on the ancient historians, and it was his province to collect the materials. He made one journey to Brussels, and, if I recollect right, another to Paris, but with what success I am not able to say. In the inquiry for royal letters, diplomes, &c. for the Fœdera, it was considered expedient not to neglect any other manuscripts or documents relative to our history that might present themselves. We have found some curious manuscripts that Mr. Petrie and others had sought for unsuccessfully.

2174. Did you take those steps in consequence of an order of the board, or merely from your own view of the wishes of the board?—I will state to the Committee how those searches originated: at the board which met some time in April 1831, the printing of the new edition of the Fœdera was, for reasons which need not now be stated, suspended; and it was generally understood that the secretary would investigate certain points connected with that publication, and would report the result of his inquiries to the board before it would be resumed. In the course of that investigation he found that Dr. Adam Clarke, formerly the principal sub-commissioner upon this work, had, in a report dated 18 March 1808, suggested to the board that it would be well if the intercourse with France were opened, to obtain information; for a confidential person to go over and examine the contents of the Imperial Library in the Rue de Richelieu at Paris. The Doctor remarks, "There is much reason to believe that several important documents were carried thither on the abdication of James the 2d, and especially such as related to the

the Stuart administration, and to the history of Mary, Queen of Scots; for notwithstanding the labours of several learned men, an impenetrable cloud still hangs over this part of our history. As to the transactions between Queen Elizabeth and that unfortunate princess, little that is satisfactory appears in the Fœdera, and there is but one Act relating to the subject from 1563 to 1587." But there were not wanting much better authorities upon this matter than Dr. Adam Clarke. Bishop Nicholson was, perhaps, the first who drew the public attention to foreign sources of history, in 1714, in his English Historical Library, where, treating of the records of embassies, he has the following passage: "Nor are the memoirs of our own ambassadors only of great use in our English history; but so are likewise those of our neighbour nations; those especially wherewith this kingdom has usually maintained the greatest correspondence in treaties of peace and commerce, as France and Holland; I have seen a transcript of above 400 volumes of French treaties (in the Wolfenbuttel Library), so that I have sometimes wondered at an assertion of one of the most eminent historians of this age, and one that has had great opportunities of looking into the archives abroad as well as at home (the writer is alluding to Bishop Burnet), that it has not been the practice of that court to lay up the negotiations of their ambassadors. And this remark seems the more strange to me, because the same author had told us of a whole volume of authentic proofs for his History of the Reformation, greater than he had already published, in the King of France's Library; which (says he) were the letters of the French ambassadors that were in King Henry the Eighth's court. The kings of France have often sat as arbitrators of differences in this kingdom, and have, upon a full hearing, given their sentences in the causes brought before them. So much, in short, our chroniclers sometimes tell us; but what were the pleadings on both sides, and on what reasons the judgments were given, they very rarely inform us. Thus (for example), we are told that Lewis the 7th umpired the matter betwixt our Henry the 2d, and Archbishop Becket, then in exile, and that St. Lewis decided the grand controversy between Henry the 3d and his barons, in favour of the king. Now, if we desire to know what memorials or arguments were produced in either of these great cases, and what were the motives that induced the royal arbitrators to frame their awards in the form and fashions that we read of, we must fetch our informations from France, since our own historians will afford us no manner of satisfaction in these points. The like must be said of Denmark, Sweden, &c., whenever we find our own affairs mixed and interwoven with those of other countries."

But the existence of valuable historical matter abroad has been put beyond all doubt by Carte, whose long and intimate acquaintance with France enabled him to make discoveries, which were at first stated in his temporary publications, were afterwards used in his history, and are yet more fully to be seen among his numerous transcripts and extracts in the Bodleian Library. In one of the temporary publications I am alluding to, Carte says, "After all, though we have so vast a quantity of materials for an English history in our own nation, it will be still necessary to consult the records and repositories of papers in other countries, particularly in France; with which kingdom, from the time of William the Conqueror, we had, for some hundreds of years, a perpetual intercourse and disputes, by reason of the dominions which our kings possessed in that country. The records there preserved in the Tresor de Chartres, the Sainte Chapelle, and the Registres du Parlement de Paris, et de la Chambre des Comptes, furnish above a thousand instruments of treaties and transactions between the crown of France and England, that are not in Rymer; the titles, notes, or abstracts whereof I have taken from thence." Independently, however, of this testimony of Bishop Nicholson, and of Carte, it appeared from the examination of Rymer's own work, that, though hindered by the wars from extending his researches abroad, he did not neglect the opportunity of inserting any fit documents from foreign sources which fell into his hands. Thus he has printed two ancient documents of the years 1193 and 1198 from copies of original records in the archives of France, and two documents from records in Spain, one of them in the royal archives, and the other in the archives of the Bishop of Alva. In one of the supplemental volumes, also published by his coadjutor and successor, Sanderson, is printed a protocol of a treaty between Louis 13th and Charles 1st, from a copy certified by Anger, the English resident in France. Now, supposing the work recommended by the Commons' Report of 1800 must be executed, either by publishing a supplement and continuation to Rymer, or by what is considered by many persons the less approvable method of continuing the new edition of the Fœdera, and executed in such a manner

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ner as to complete that most valuable collection of historical and political documents; it seemed to me the duty of the commissioners to use all practicable means of doing so in a manner worthy of so renowned a national work. One of those means, and that peculiarly within the power of the present commissioners, beyond that of their predecessors, who began the new edition in a time of general war, was manifestly the examination of foreign archives and libraries, for originals or copies of such documents as are fit to enter in the proposed collection; and——

2175. But part of these collections have been made for this complete edition of our ancient historians, ordered by the vote of the House of Commons?—The collections were undertaken with reference to the Fœdera alone. But it has not been thought right to omit the opportunity of learning what manuscripts and documents the foreign archives and libraries which we had occasion to explore contained, illustrative of the early history and literature of the United Kingdom.

2176. The chief object was in order to complete the edition of Rymer's Fœdera?—Just so: and the success of this scheme has fully justified the expectations which were entertained respecting it. The transcripts which have been obtained from France, Belgium, Portugal, Switzerland and Italy, are of great extent and value, amounting to upwards of 3,000 documents already received, besides vast numbers, either not yet transcribed, or in the course of being transcribed, which the researches thus instituted have discovered and brought to the knowledge of the commission. As an instance of the value of these documents for the earlier parts of our history, I may state, that in one collection alone, thus transmitted from Normandy, are found the following numbers of charters of our kings prior to King John, in whose reign the Rolls of Chancery begin: Edward the Confessor, 1; William 1st and 2d, 16; Maud, queen of William 1st, 1; Henry 1st, 35; Stephen, 8; Henry 2d, 82; Richard 1st, 34. Thus 177 royal instruments have been obtained in one lot, besides hundreds of others sealed by the prelates and nobles of this country, and relating to territories or transactions beyond the seas. But it may be as well to furnish the Committee with a general statement of the contents of the foreign portfolios, some of which have been placed, by way of specimen, upon the table of the Committee. From——

2177. Under what authority did the commissioners proceed in publishing that edition of Rymer's Fœdera?—Under the authority of the Report of the Select Committee of the House of Commons in 1800. In that Report the Committee will find these words: "The State Papers published together in Rymer's Fœdera, a most valuable collection. They commence from the reign of Henry 1st, anno 1134, more properly 1101, but they do not come lower in date than the first six years of Charles 2d, during the Usurpation; and it appears to Your Committee that it may be very desirable to have this work completed by a supplementary selection of such other important papers as were omitted by the original compilers, and also to have it continued to the Revolution, or even to the accession of the House of Hanover."

2178. The Right Hon. *C. W. W. Wynn.*] Does not it appear that the first commission took measures for acting immediately upon that suggestion?—It appears by the First Annual Report of the Commissioners of 1800 that Mr. Astle, keeper of records at the Tower, Sir George Rose, keeper of records at the Chapter House, and Mr. Kipling, keeper of records at the Rolls Chapel, and other officers having the custody of records, were, prior to March 1831, instructed to consider and report to the board of a proper selection of records, instruments and papers in their respective offices, for a supplement and continuation to Rymer's Fœdera. By the Third Annual Report it appears that a list was ordered to be prepared for that work of the instruments entered on the Patent, the Close and the Treaty Rolls in the Rolls Chapel. Soon after this time it was, if I recollect right, resolved that the materials collected should be arranged for the press; but an unexpected impediment presented itself to the prosecution of the work; I allude to the difficulty of finding persons competent to edit it. Mr. Lysons and other antiquaries seem to have declined all the offers made by the commissioners, and several years elapsed after the intention of the commissioners before Dr. Adam Clarke's services were obtained.

2179. Is not the progress of that great work noticed in the General Report of 1812 and the Report of 1819?—It is; the notice of it in the Report of 1812 is extremely important. The original plan of the commissioners was confined to a supplement and continuation, as suggested by the Report of the Select Committee of 1800; but in the General Report of 1812, which has been several times printed

printed by order of the House of Commons, it is stated, that it has been determined to print a new compilation, including all hitherto published by Rymer, and completing it by the aid of many sources not open to his industry, with a continuation also to the period of the Revolution. Large materials, it was added, had been collected and were collecting; and a detailed plan of contents for the first volume was under the consideration of the commissioners.

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2180. *Chairman.*] Your authority for this work is not derived from the words of the commission, but the address of the House of Commons?—The commissions have always been construed with reference to the address. In addition to the remarks already made by me in different parts of my examination on this point, I will mention, that it appears from the Journals of the 17th July 1800, that the King, in reply to such address, commanded the Chancellor of the Exchequer to acquaint the House of Commons that he would give directions as desired by the said address. I hope to see all that is desired by such address ultimately effected. Amongst other excellent and useful recommendations contained in the Report of 1800, are two which are peculiarly interesting to an English lawyer. The Select Committee strongly recommends, first, that the series of Year Books from Edward the 1st to Henry the 8th should be completed by printing those hitherto unpublished, of which there are several extant in the libraries of Lincoln's Inn, the Inner Temple and the British Museum; and also by reprinting the rest from more correct copies, as those which are already in print are known to be in many instances incorrect and erroneous. It is observed, a general index to the whole would be a very necessary addition to such a work, which forms so valuable a monument of our practical jurisprudence in its earliest ages. The Select Committee recommend, secondly, that an uniform and systematic edition should be given of all the ancient law writers, as more perfect copies are known to exist in MSS. than those which have hitherto been published. At the same time the Committee submit the propriety of printing from the Red Book of the Exchequer the ancient regulations, intituled Ordinationes Scaccarii, as a supplement to the celebrated Dialogue de Scaccario contained in the same book. I do trust the day will come when accurate editions of the Year Books, Bracton, Glanville, Fleta and Britton, shall be printed at the public expense.

2181. For this purpose you have been making collections abroad of documents connected with the history of England?—The former commissioners had announced their intention to seek materials for the new edition of the Fœdera, in sources which did not appear to have been accessible to Rymer; and in execution of this intention it will be found that in the years 1811 and 1812 Dr. Adam Clarke, the principal sub-commissioner on this work, visited Ireland, and made searches in various archives and libraries in Dublin, and elsewhere, for documents unknown to Rymer; and, had it not been for the war, it is clear that the suggestion of Dr. Clarke, that a person should be sent to Paris to examine the contents of the archives and libraries of that capital, would not have passed unheeded. In consequence, when our attention was turned to the subject of the new edition of the Fœdera, it immediately occurred that advantage should be taken of the opportunity of all Europe having long been at peace with Great Britain to procure materials for that work, which were, when it was first undertaken, beyond the reach of the board. The only doubt that could arise was, that during the 15 years of peace that had elapsed prior to the issuing of the existing commission, no steps had been taken to procure copies of documents from any of those libraries and archives abroad where they were known to exist in the greatest numbers, as in France and Portugal. But a short conversation upon this point with Mr. Caley satisfied me that it was not because such documents were considered unimportant or unfit for insertion in the new compilation that no foreign researches had been instituted. Upon going to Paris, therefore, in the long vacation of 1831, I got Lord Brougham to give me letters to Lord Granville and the Duc de Broglie, by whose means I found entry into the Royal Archives, preserved at the Hotel Soubise, with what success an unfinished volume on the table of the Committee, lettered Appendix (D), will best show. That volume consists of three parts: 1st, an accurate copy of so much of the Inventaire du Tresor des Chartres, being an official calendar never before printed, compiled by the celebrated Pierre Dupuy, in and after the year 1615. This part contains an ample account of a series of treaties and other records of the first importance, from the year 1193 to 1572, under the head of "Angleterre." A series of undated, documents, likewise, from Richard the 1st to 1519; bulls relating to England, from 1218 to 1409; and a series of treaties

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and other records under the head of "Escosse," from 1295 to 1558. The second part is a catalogue of the "Section Historique," of the Archives of France, as now arranged so far as it relates to England, containing an account of the documents chiefly of the 14th and 15th centuries, but including some as early as the years 790, 960, 1059, 1069, and others of very ancient date; also, 2,158 documents, contained in four registers of the Tresor, from 1422 to 1433, while the government of France was administered by the English. These had never been described until this work was undertaken by order of the Minister of Public Instruction, in 1831, on my application. The MS. from which this part was printed, signed by M. Daunou, director of the French Archives, is now deposited in the British Museum. The third part consists of extracts from the other volumes of the Inventaire of Dupuy, pointing out such documents as exist under other headings in that work, yet relate to this country. The fourth part is a catalogue of some documents, which, though very curious, were not particularly described in the foregoing part, but described only in general terms as musters and other documents relating to the wars in Normandy under Henry 5th and Henry 6th. It has been lately prepared by a skilful person employed by the board. With reference to this catalogue I may further observe, that one principal object of search in foreign archives is the counterparts of those treaties which have issued from this country. In the period anterior to the regular inrolments of the English Chancery, we are indebted to chronicles and other fortuitous sources for some of the few political instruments that exist; and to France, as I have had occasion to show elsewhere, we owe the convention of King John (when Earl of Mortain) with the King of France. The latter stands foremost in the series of treaties with English Princes in the French Tresor. It is important in such a collection as the Fœdera, to print both parts of a convention where the original, sealed by the foreign power, exists in our archives, and the counterpart is inrolled on our own records. This has been done by Rymer whenever practicable; and by means of the opportunities now offered, this can be done in numerous instances; and some new light is thrown on the peace with France in 1258 or 1259, and the French King's mediation between Hen. 3d and the Barons in 1263, by means of sealed instruments lately transcribed in the Tresor.

2182. Has any part of the new edition of the Fœdera been actually published or prepared by the commission?—Two volumes, each consisting of two parts, and the first part of volume 3 are published; the second part of volume 3 is partly printed; it will carry the series of instruments down to the end of the reign of Richard 2.

2183. Are those volumes a re-edition of the matter contained in Rymer, or are they entirely new?—A large proportion of the documents are new.

2184. Is this work now going on?—The work is suspended.

2185. What is the cause of that suspension?—A doubt as to the expediency of reprinting documents contained in the old editions of Rymer. One of the inducements to reprint was the scarcity of the work. During the war it was very dear, and appears sometimes to have fetched as much as 100 guineas; but the numerous copies of the Hague edition imported since the peace have greatly reduced the price. The old editions of Rymer may now be bought for a very few guineas.

2186. Then the present commission has not published any more of that work?—It has not.

2187. What steps has it been taking with regard to Rymer?—It has amassed materials, and instituted certain inquiries. With regard to a work which so much involves the literary reputation of the country, the commissioners have thought that it behoved them to proceed with circumspection and caution.

2188. What then is this Report on the Fœdera of which we have heard?—No Report has yet been framed. The imperfect volumes on the table of the Committee, and the production of which has been enforced by its order, are however all more or less connected with such intended Report. It will be seen that none of them have title pages; and it is principally for the convenience of referring to them during the course of this examination that they have been lettered Appendixes (A.) to (E.) Some of them, as for instance, the calendar of the documents in the French archives, the board may think it advisable should appear as independent works. It is with reference to this contemplated Report, that I am desirous of drawing the attention of the Committee to the contents of some of the portfolios now in the room. Take, for instance, the portfolios lettered, "Transcripts of Documents in the Archives and Libraries of France," four portfolios, thus lettered: No. 1, contains miscellaneous transcripts from the archives of France, illustrating the reign of Henry 6th; extracts from the registers of the Parliament of Paris,

1293, relating to transactions with England; transcripts from the archives of Senlis; transcripts from the archives of France, relating to the period of English history from Richard 2d to Henry 6th; the transcripts of the reign of Henry 6th; 62 documents from the Royal Library, of the same reign; 17 important documents from the archives, of the time of Henry 1st, and other early reigns; 14 of the reign of Henry 3d, and eight of the time of Henry 6th; 29 documents, from 1344 to 1438; 38 documents, from 1378 to 1411; 86 documents, from Henry 2d to Henry 3d; 13 documents, from 1437 to 1439.

No. 2. Contains 42 documents from the archives, from 1422 to 1437; 50 documents from the Royal Library, from 1438 to 1453; four documents from the royal charter, relating to the great charter, dated in 1216, 1263, 1310 and 1321; 42 documents from the archives, one of Richard 1st, the others from Henry 3d to Edward 2d; 80 documents, from 1439 to 1444; 69 documents, from 1439 to 1443; 58 documents, of the reigns of Richard 1st, Edward 2d, and a continuation of the series of Henry 6th, from 1444 to 1450; 42 documents, from 1301 to 1368; 80 documents, of the reign of Henry 8th.

No. 3. Contains a large collection of documents, relating to the reign of Henry 6th, from the Royal Library, Paris.

No. 4. Contains transcripts of 48 documents, of the period from Henry 3d to Edward 3d, from the French archives, and 52 documents from the same, completing the series for the reign of Henry 8th. These are some of the documents obtained from France. I have already mentioned, that from Normandy the board obtained more than 500 (516), in one lot; but it is in Belgium that the researches for instruments, proper to form a supplement to Rymer, have been the most successful. From Lisle, Antwerp and Ghent has been obtained an abundance of valuable inedited documents, illustrating the political and commercial intercourse between England and those parts in the middle ages; at Brussels, Douai, Malines, Tournay and other towns also, not a few like instruments have been transcribed, and St. Omers is now contributing its share to the stock of materials. Three portfolios, containing transcripts of diplomes in the archives and libraries of the Low Countries are now in the room. No. 1, contains transcripts from the archives of Alost, Antwerp, Arras, Bruges, Brussels, Dinant, Douai, Ghent, Hamburg; but the greater bulk, to the number of some hundreds, is from Antwerp and Ghent. No. 2 contains a vast quantity of documents from the archives of Lisle, and No. 3, documents from the archives and libraries of Louvain, Malines, Middelbourgh, Mons, Nimegue, St. Omers, Tournay, Ypres. Two other of the portfolios, produced by way of specimen of what has been effected in the foreign department of the labours of the board, are lettered "Documents from Portugal." The numerous alliances between the royal families of Great Britain, and Portugal and Spain, have led to the searches in the archives of Lisbon. It may be useful to mention the principal alliances:

Richard 1st, married Berengaria, daughter of Sancho, King of Navarre, 1190.

Edward 1st, married Eleanor, daughter of Ferdinand, King of Castile, 1254.

Philippa, daughter of John Duke of Lancaster (by his first wife), and sister to Henry 4th, intermarried with John 1st, King of Portugal, 1387.

John Duke of Lancaster, fourth son of Edward 3d, married (secondly) Constance, elder daughter and co-heir of Peter, King of Castile and Leon, 1372; and thereupon assumed the title of King of those realms. Their only daughter, Katharine, intermarried with Henry, afterwards King of Castile and Leon.

Edmund, Duke of York, fifth son of Edward 3d, married Isabel, younger daughter and co-heir of the said King Peter, 1372.

Joan, the second daughter of Edward 3d, was contracted unto Alphonso, King of Castile, but died before marriage in 1348.

Blanch, elder daughter of Henry 4th, and widow of Lewis, Duke of Bavaria, intermarried with the King of Aragon.

Arthur, Prince of Wales, and his brother Henry, afterwards King Henry 8th, married successively Catherine, daughter of Ferdinand, King of Spain, in 1501 and 1509.

And lastly, Queen Mary 1st, married Philip, son of the Emperor Charles 5th, 1554, eventually King of Spain.

The one portfolio, lettered "Documents from Portugal," contains lists of all documents, found in the royal archive of the Torre do Tombo, at Lisbon, which relate to the objects of the commission, and numerous authenticated copies of such of them as have yet been transcribed from that or other repositories in that country.

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The other portfolio, lettered "Documents from Portugal, new series," contains a continuation of valuable transcripts from the Torre do Tombo, which are now in regular course of transmission hither.

The Report alluded to will explain the nature of these collections for the Fœdera, as well of the other collections incidentally formed, and generally illustrative of British history and literature.

2189. Who is drawing that Report?—In answer to that question, I must trouble the Committee with two or three extracts from the Agenda and the Minute-Books. At the board of the 22d June 1833, it was stated to the commissioners, that it having been thought inexpedient to recommence the printing of the new edition of the Fœdera, until research should have been made in the public repositories abroad after fresh materials for that work, an expensive correspondence was some time since begun with different foreign archivists and librarians, the result of which would shortly be communicated; and, at the board of the 14th February 1835, the plan to be adopted in the continuation of the new edition of Rymer's Fœdera, and transcripts for this work at home and abroad, being the subject of deliberation, it is recorded, that the secretary produced sundry portfolios of transcripts, made in the Netherlands, Germany, France and Portugal, also such portion of the appendixes to his proposed Report as had been printed; and stated that he hoped to complete the Report in the course of next long vacation, so as to be able to lay it before the commissioners for their consideration in the month of November. This, like some other fair promises, was not performed. The secretary, feeling some misgivings as to his power to complete the task (voluntarily and gratuitously undertaken by him) within a moderate time, placed all his papers and notes in the hands of Mr. Black, with a request that he would prepare the heads of the Report; and that gentleman was authorized, in order to facilitate his labour, to have such heads put in type. This has been lately done.

2190. What is the general object of the Report?—The grand scope of Mr. Black's inquiry has been to ascertain (I use his own words) first, by what principles the editors of the new edition of the Fœdera have professedly been guided in completing it, and how far they have acted on them, or departed from them, in the execution of so much of it as already lies before the public; and, secondly, what is the fitness or unfitness of those principles, considered in a large and comprehensive view of the general subject; that thus, amid the conflicting opinions which have been expressed in its praise or blame, the real merits or faults might be practically exposed; and suitable recommendations might be made thereupon, to guide the commissioners to a right determination on this important subject.

2191. To this Report seven volumes have been printed as an appendix?—There are only three volumes before the Committee of portions of two others; and those volumes and portions of volumes, or at least some of them, have been lettered Appendixes for convenience only, as, I believe, I stated a few minutes ago. For example, Appendix (B.) comprises the transcripts and facsimiles of Anglo-Saxon manuscripts found on the Continent, and contains everything worthy of publication which has yet come to light, with the exception of two manuscripts too large for insertion. In some of the documents here printed are found words not elsewhere occurring, and many orthographical variations interesting to the philologist. They will therefore be eminently useful in compiling that great desideratum, a complete Anglo-Saxon Lexicon. The Vercelli pieces in particular, which exceed the number of 7,000 lines, are, in the opinion of the most competent judges, an invaluable accession to our ancient literature. They have been already found useful for the interpretation of some difficult passages in the Anglo-Saxon Laws, now editing by Mr. Thope, under the authority of the commissioners. This Appendix (B.), it is obvious, may be regarded as a distinct compilation. Appendix (C.) may also be considered in the same light; it contains for the most part documents communicated to the board upon express condition that they should be printed. Amongst them are a number of diplomes collected by a learned foreigner for a History of the Hanse Towns. They all relate to English affairs, and have been transcribed from originals or authentic copies in the Archives of Hamburg. In the same Appendix (B.) will be found a short inedited Chronicle of England, and a curious ancient Customary, from the Public Library of the same city; a valuable correspondence relative to the Palatinate, from the Royal Library at Munich, and a collection of charters and state papers from Stuttgard. The first are published from most accurate copies obtained by the authority of the King of Bavaria; the latter were communicated to the board by the King of Wirtemberg. All these documents relate to English history,

history. To this same Appendix (A.) are added two very curious pieces, now first published. One is a poem on the Battle of Hastings, and in praise of William the Conqueror, from an ancient MS. in the Public Library at Brussels; the other consists of two tracts on the Life and Miracles of Waltheof, Earl of Northumberland, which were long known to exist in a MS. in the College of Douai, formerly belonging to Croyland Abbey: but all attempts to procure copies of them had failed, until the matter was taken in hand by the commissioners. After this description of Appendix (C.), it is apprehended that it might be safely treated as a distinct work. Of the volume lettered Appendix (D.) I have already spoken. There might very properly be prefixed to it a short introduction, and it might then be published as a calendar of all documents connected with English history preserved in the Royal and National Archives of France, from the earliest period to the reign of Henry the 8th. There is matter in the volume equal to that of three octavo volumes of the size usually adopted by the board. In my judgment, this calendar is alone sufficient to justify all the foreign expenditure, although in comparing the receipts with the outgoings, we are in the habit of looking only at the copies of instruments fit for the Fœdera. In our compilation, we take no account either of the Anglo-Saxon manuscripts comprised in Appendix (B.), or the Life of Earl Waltheof, or even of the collections from St. Gall or the Vatican, now before the Committee, but to which its attention has not yet been turned. There is one volume remaining, it is lettered Appendix (E.), and is a chronological catalogue of the materials transcribed for the new edition of the Fœdera. It is a compilation that must prove almost as serviceable to the historical inquirer as the documents themselves would if printed in *extenso*. This volume wants only a title-page and a short preface, and it may, if it be deemed advisable, be forthwith published as a separate work. I have now described all these volumes called Appendixes, except the first.

2192. How many copies of those have been printed?—Two hundred and fifty.

2193. Then we are to conclude they have not been printed for the private use of the commission?—No; like most of the other works printed under the authority of the board, these volumes are intended for distribution to the principal public libraries of the United Kingdom and of Europe.

2194. But this work being neither a collection of records properly so called, nor a supplement or new edition of Rymer's Fœdera, under what authority have the commissioners printed this volume?—These volumes will be found to be, for the most part, calendars or indexes of materials for British history, either existing abroad or already transcribed. The documents printed at length in some of the volumes may be looked upon as illustrations of the future Report.

2195. This then, in fact, may be considered as a work of the commission, the object of which is to make known the materials respecting English history which exist throughout the Continent?—That is one of the objects of these Appendixes, and it will not fail to be noticed in the Report. But the principal object of the Report will be to furnish the commissioners with information of a different kind, and which will assist them in coming to a final determination as to the expediency or inexpediency of a change in the plan upon which the new edition of Rymer's Fœdera has hitherto proceeded.

2196. With that object you would not think it necessary to print 250 copies?—No; not with that object alone; but it will be seen that the unfinished volumes called Appendixes to this Report, are full of matters that may be useful to the inquirers into our early history and literature.

2197. What has been the total expense of the collections made for those volumes, and the printing those volumes?—I have made no estimate.

2198. Do you believe it is as much as 7,000 *l.*?—No; the foreign searches and transcripts have cost about 3,000 *l.*, as well as I recollect; and it may be considered that nearly the whole expense requisite for the foreign labours has been now incurred, although a portion only of the produce has reached the hands of the commissioners. The great outlay has been occasioned by the searches, and by the measures for establishing relations with the officers of those archives which are the richest in royal letters and diplomes relative to English history; for instance, those of Paris and Lisbon. The copies of instruments from France, Belgium, Portugal and Germany, suited to our purpose, already in the portfolios of the board, exceed 3,000, and fresh parcels are arriving every month. The cost of these copies is only 4 *d.* per folio; and from the estimate I have made, the total number which we shall eventually obtain, including those now in our possession, will not be less than 10,000. In my humble judgment, the money applied in procuring these historical materials from the libraries and archives of the Continent, has been em-

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ployed, not only in a manner more conformable with the object of the commission, but in a way more advantageous to the public (always supposing that history has its value) than if it had been spent in making indexes to writs of latitat, capias, and quominus.

2199. Appendix (A.) appears to be a collection of all the works contained in the different libraries of the Continent in any way connected with the object of your searches?—The Committee must permit me to preface my answer to this question respecting Appendix (A.) by a few remarks. It has long been generally known that there exist in foreign libraries many historical and philological manuscripts of the time of the Saxons, of the time of the Britons, and of the time of the Normans, both before and after their invasion in 1066, besides numberless treaties, letters, &c. of a later period. My own reading had taught me that there are instances of manuscripts relative to English history not yet printed, the existence of which is known only through quotations in foreign writers; and some of these manuscripts are of great value. In a time then of general peace, and when almost every European nation is collecting and publishing the sources of its early history, it appeared to the commissioners a most auspicious opportunity presented itself of making researches not only to obtain new materials for the Fœdera, but also to collect notices of all records, MSS. and other documents that may throw light on the general history and ancient literature of Great Britain; that nothing might escape which could be either useful for the public purposes of this commission, or curious and important to antiquarians of this country in any legitimate department of their topographical, genealogical, biographical, or other literary inquiries. In consequence an extensive correspondence was opened with foreign ministers, with archivists, librarians, professors and other learned men in Continental cities and universities, and by these means, and by the circulation of printed papers, a vast mass of curious information has been obtained, the results of which, as far as they are yet complete, appear in the volumes before you, and especially in the Appendix (A.), which, however, must in the form in which it is presented to the Committee be quite unintelligible. Appendix (A.) contains a list of manuscripts and documents relating to British history in the archives and libraries of Germany and Switzerland. The names of places are arranged in alphabetical order, under which all the notices of works collected from the secretary's foreign correspondents, usually designated by the abbreviation For. Cor., or from catalogues of libraries and other Continental publications, many of which have been hitherto unknown in this country, are arranged. The principal of these places are Augsburg, Bamberg, Basle, Berlin, Berne, Breslau, Carlsruhe, Cologne, Saint Gall, Geneva, Hamburg, Konigsburg, Leipzic, Lubeck, Munich, Prague, Regensburg, Stuttgard, and above all Vienna, Wolfenbuttel and Zurich; besides these a multitude of other places occur, libraries and archives of some of which are pointed out, in order to the prosecution of further inquiries, where hitherto no specific information has been required or obtained, the greater part of that volume having been arranged and printed more than two years ago, additional materials have been since procured and form a Supplement, digested in the same manner as the foregoing. Two special objects of inquiry in these researches have been Irish and Anglo-Saxon manuscripts, to obtain a complete list of which, if not transcripts, has been the earnest endeavour of the compiler of Appendix (A.) Their existence on the Continent, besides what has been already known concerning them, especially the former, is reasonably supposed from the generally received traditions of Irish saints and apostles, who not only planted Christianity among the tribes of barbarians that occupied the middle and western parts of Europe, but also revived learning in France and Italy itself. They who have made the monastic part of ecclesiastical history a principal study, well know that some of the most ancient monasteries in Europe owe their origin to Irish monks, whose sanctity and learning were eminent in the darkest ages of western history; those of Fulda, Wurtzburgh, and Bobio, bear witness to the pious labours of Bonifacius, Kilianus and Columbanus, and others too numerous to be now mentioned. Under the names of the two first of these places, and those of Epternac, Munich, Rheinau, Saltzburg, and above all, Saint Gall's monastery in Switzerland, may be found ample notices of manuscripts written by Irish monks, or containing glosses and other pieces in the Irish language. Those at the last named place are both copious and extremely curious; the collection of fac-similes, extracts and dissertatory notes, communicated by a learned correspondent, who was formerly a member of that monastic establishment, beyond what is printed in the pages already referred to, at once silence all objections against the high pretensions of the Irish nation to a superiority in literature above the inhabitants of other countries, in the seventh, eighth, ninth and tenth

tenth centuries, of which so many written monuments exist in the library of that celebrated abbey.

2200. What limits have your foreign correspondents had put upon their researches with regard to the extent of the connexion between the subject and the history of Britain?—In general my instructions were to incur no expense for copies, except of instruments fit to make part of the Fœdera.

2201. I am speaking of the expense of the book before us; what limit did you put upon the researches they were to make as to the books; what books did you desire them to search for?—I never desired them to search for any books.

2202. This Appendix consists of titles of various books?—The books there quoted I have perused myself. In compiling Appendix (A) I went through more than 2,000 volumes. The task occupied me during considerable portions of the years 1832, 1833, 1834 and 1835. In truth I devoted to the performance of it every moment I could snatch from my profession. On a former day I stated that one of the commissioners having made some observations respecting the purchase of so many books, I have since bought, out of my own monies, the works necessary for completing my undertaking.

2203. You do not mean that you have read every page of those works?—No; but I have gone through them. I have read so much of them as was requisite for my purpose; I have noted, in examining more than 2,000 volumes, printed abroad, and a large portion of them quite unknown in this country (principally diplomatic collections, catalogues of libraries, and literary travels), all that was to be found relative to English history and literature. I have large collections of extracts besides those made for Appendix (A). My motive for undertaking this task, of the vastness of which I had originally no notion, or I should certainly not have engaged in it, was that my correspondents were constantly sending me lists of manuscripts, and copies of diplomes taken from printed books, vary rare indeed, and few of which were in the British Museum, but which my course of reading had made me acquainted with. I framed, therefore, the first portion of Appendix (A.), and sent it to one of my principal correspondents; and since that time no notices of manuscripts or copies of instruments have been sent which are to be found in any printed work.

2204. It is utterly impossible, from the statement here, that you can have read all these books; here is a catalogue of a library of which you say you do not know on earth where it exists?—I have, nevertheless, carefully examined all the books. I fear we do not understand each other. But what is the library of which you are speaking.

2205. It is the library of Baumgartenberg?—[*The part alluded to was pointed out to the Witness.*]—That is the library of a monastery in Austria, visited by Pezius in his literary tour, which is composed in Latin, and which I have read more than once. He describes it as the monastery "de Monte Pomœrio," the vernacular name of which I was at first unable to discover. I afterwards found it by consulting one of the large maps of Austria in the Royal Library at the Museum.

2206. Have you been at all these foreign libraries, or have you got copies of all those manuscripts?—Certainly not. The question shows that the nature of the work is not comprehended.

2207. Have you actually read the books?—I have read many; some several times. I have examined all, and in general have made the extracts with my own hand.

2208. In making this catalogue for the use of the public, what did you mean it to be a catalogue of; what have you put in and what have you excluded?—My plan was to notice every manuscript existing in the libraries of Germany, Switzerland, Poland and Russia, in anywise connected with the history or literature of the British Isles. Of course I am speaking only of Appendix (A).

2209. What has been the object of printing this work, a great deal of which is useless?—In my poor opinion it is not useless. It has cost me many many months of gratuitous labour, of labour which, if bestowed upon my profession, it would be very easy for me to prove would have yielded me several thousand pounds; for I have never lacked clients. I am convinced the literary part of the public will not consider a single page of Appendix (A) useless.

2210. Dr. *Bowring.*] I see, in reference to the library of Carlsruhe, it is said, "Die Grossherzogliche Bibliothek besitzt ungefähr 200 Handschriften"?—That passage was taken by me from Meusel's Teutsches Kunstler Lexicon.

2211. *Chairman.*] You say that this catalogue has some reference or other to English

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English history or English affairs?—Yes; take, for instance, the head of Carlsruhe, and the passage read by Dr. Bowring. Immediately preceding that passage are notices of some manuscripts in the Grand Ducal Library; one is a manuscript of the epistles of St. Boniface, of the 10th century. Can any one doubt that such a manuscript is connected with British history and literature?

2212. Why is it?—St. Boniface was a native of Devonshire, and related by blood to our ancient kings; he resided in this country till he was 30 years of age, and visited it afterwards. His epistles have been used by Dr. Lingard, although they are nowhere, I believe, quoted either by Hume or Henry. Another manuscript is Chronicon Britannicum of the 12th century. It is said that it succinctly relates events in Britain from the landing of Cæsar to the year 1179. A third manuscript is the Epistles of Peter of Blois; nobody will, I apprehend, deny that they are connected with English history.

2213. What had Peter of Blois to do with English history?—Many of his letters are addressed to our kings and queens, our archbishops, bishops, abbots, and other dignitaries, his cotemporaries; some of them, too, employed Petrus Blesensis to write letters in their names. A fourth manuscript is the Epistles of St. Bernard; the manuscript is of the eighth or ninth century. The titles of some of this abbot's letters, given in a note to Appendix (A), p. 41, will show that they are not foreign to our early history. We then come to the passage read by Dr. Bowring, that the library of the Grand Duke possesses 200 manuscripts. My design in making this extract from Meusel was to draw the attention of my correspondents abroad to this collection of manuscripts, which did not appear to have been examined; and some of which I had reason to think would be interesting to us. Since this part of Appendix (A) was compiled, I have succeeded in obtaining very full notices and numerous fac-similes; many of these manuscripts are written by the Irish monks of the convent of Reichenau, and are as old as the ninth century. These and the St. Gall transcripts and fac-similes will throw a new and unexpected light upon the old literature of Ireland. I have often read Dr. O'Connor's great work, published at the expense of the Duke of Buckingham. The existence of these curious manuscripts was evidently unknown to that writer.

2214. I find in almost every page of that book there are references to the works of St. Ursula and the 11,000 virgins?—Not, I think, in almost every page; but why should the legend of St. Ursula and her 11 companions (for they probably did not exceed that number) be excluded; she is an English saint.

2215. Then any work relating to any English saint you think ought to be noticed?—Undoubtedly.

2216. Here is a notice of the work of a Saxon nun, Elizabeth with the beautiful eyes, relating to that subject; do you think that that is a matter connected with English history?—I do not recollect the manuscript to which you are alluding; but undoubtedly a life of St. Ursula by a Saxon nun ought not to be omitted in a list of manuscripts connected with ancient British history and literature.

2217. Are you certain that St. Ursula was an Englishwoman?—St. Ursula was the daughter of a king or prince of Cornwall. I have no doubt there is some foundation for the story respecting her flight to Frisia, and it is not unlikely that manuscripts may yet be found in the Vatican which will render it more intelligible than it is in our printed chronicles.

2218. The question is, whether a catalogue of all the works relating to St. Ursula is a matter that comes within the province of the Record Commission?—Nothing is more easy than to cast ridicule on matters infinitely more serious than those which are the subject of the present inquiry. With great submission, the question is, whether, for supplying the defects in the materials for our early history, recourse is not to be had to the lives of saints; and that question I have always thought, perhaps foolishly thought, had been long ago decided in the affirmative by the unanimous voices of the learned men of all countries. The great national work of the Recueil des Historiens des Gaules et de la France, commenced by Louis the 15th, and the 19th volume of which has recently been published, contains ample extracts from the Lives and Miracles of Saints; and our neighbours (as appears from a report made to the Emperor Napoleon by the venerable Monsieur Dacier, and of which he presented me with a copy in 1831) esteemed the Acta Sanctorum so inexhaustible a treasure, even for the profane history of the middle ages, that it was at one time contemplated to complete the Compilation of the Bollandists, commenced by the House of Austria, and which is brought down

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to the middle of the month of October. The Monumenta Germaniæ Historica commenced in 1826, of which His Majesty, as King of Hanover, is one of the principal patrons, and the editorship of which is confided to his archivist, Dr. Pertz. Three volumes have been published. In the second volume are the lives and miracles, in prose and verse, of different saints, as St. Gall, St. Otmar, St. Boniface, St. Lebwin, St. Sturmius, and others. As recently as yesterday, I had occasion to consult the Danish Collection; it comprises numerous lives, legends and translations of saints, as St. Willehad, St. Anshar, St. Rembert, &c. But the commissioners do not upon this occasion need the support of any foreign authority. The sketch of a plan for collecting, arranging and publishing the materials for the history of Britain, from the earliest times to the accession of Henry the 8th, has been already mentioned by me. The lives and miracles of saints are there expressly described as part of such materials. As to the miracles of saints, it is there stated that they often contain much curious and extremely valuable information; and in this opinion I do not hesitate to concur, having myself read, not indeed in the unfinished work of the Bollandists, but in the volumes of Surius, the lives of all saints born in the British Isles. I consider that the House of Commons and the King intended that the lives and miracles of our saints should form part of the great historical collection; and the board therefore does not want the precedent of France, Germany or Denmark for endeavouring to procure the best manuscripts of writings of that class.

2219. But here are the medical works of Egidius; have you inserted those because he was a native of England?—Johannes Egidius was a native of St. Alban's; he flourished in the reign of Henry the 3d. He acquired great reputation for his philosophical writings, as may be seen upon turning to Bayle, Pits or Tanner. His lectures on theology and the arts in the universities of Paris and Oxford were much celebrated. He was, besides, physician to Philip the Second, king of France; and, considering how little we know of medical science at that period, I should esteem any work of his in that department well worth notice. The board has helped to fill up the void between Galen and Paracelsus, by printing in the Agenda a curious document found amongst the mouldering records of the King's Remembrancer's-office; it is a bill of medicines furnished for the use of Edward the 1st. It must not be forgotten that information of this kind is communicated to the public at no additional expense; the whole of it will not be found to occupy a sheet of type: I am speaking of Appendix (A).

2220. There is an edition of Euclid de Ponderibus by an Englishman, in page 69; is that put in because it was published by an Englishman?—That is the reason; the meshes of your net must be small, and you must throw it widely, or you will take little that you want.

2221. Why have you inserted "Poems on several occasions by the Earl of Rochester"?—It is under the head of Dresden. There are manuscript poems of that nobleman in the King of Saxony's library; had I omitted mention of the manuscript, a few weeks would probably have brought me a long account of it, and I was first desirous of preventing the librarian there, to whom we have since become indebted for notices of some valuable diplomes, from giving himself that useless trouble.

2222. Dr. *Bowring*.] Here is one book bought because it had been in an Englishman's library, that book being an English New Testament?—I do not understand; if I have noticed a printed book in any library, it is probably because it belonged to some remarkable man.

2223. Who is it?—I see; it belonged to Furley, a famous English merchant, established at Rotterdam about the end of the 17th century, and a great promoter of the doctrines of the Quakers.

2224. That was bought, then, because it had belonged to a remarkable man?—The book was not bought; I must have considered it as worthy of notice as having belonged to Furley. You will no doubt find an account of it in the printed catalogue of the King of Saxony's library; Furley made a large collection of the writings of the founders of the Society of Friends, still in manuscript, and which I believe is now in the public library at Hamburgh. Honourable mention is made of him by Uffenbach and other literary tourists of the last century.

2225. *Chairman*.] The connexion here appears to have been, by having been in the possession of an Englishman?—Ebert, who drew up a description of the rarities of the Dresden Library, must mention this book as having belonged to Furley

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Furley of Rotterdam, the English Quaker; apparently, I had some reason for deeming this a curious literary fact.

2226. Are the Record Commissioners appointed to make collections of all curious literary facts?—Certainly not of all; but I really was not aware that there was in Appendix (A) mention made of any such printed book.

2227. Sir *Matthew W. Ridley.*] Might it not have contained some notices of English history?—I have known mere theological books and manuscripts to contain in the fly-leaves and margins very curious and interesting historical and biographical information. In whatever way you shape your inquiries, much will inevitably be communicated that must be rejected as useless; but there is one objection to limiting them for the purpose of shutting out all notices of this kind; it is, that almost all will escape you of which you are in search. There is a catalogue in the library of the board which contains copious extracts from the Statute of Marlebridge; but these are followed by a description of certain "Leges Scotiæ, et consuetudines quatuor Burgorum, &c." This has proved to be the oldest manuscript of the ancient laws of Scotland known to exist; but upon looking again at the entry referred to by Dr. Bowring, I perceive it relates to a manuscript, and not a printed book; it is the manuscript of an old translation of the New Testament into English, and of course ought not to have been passed over.

2228. *Chairman.*] There being no title-page or preface to this work, has led to many of the questions that have been put to you; does this refer only to manuscripts, or manuscripts and printed books?—To manuscripts only.

2229. Here you have noticed manuscripts of books that have been printed?—Of course.

2230. I find a long extract from the manuscript of Froissart; was it necessary for the purpose of the commission that that should be printed?—I recollect notices of two manuscripts of Froissart, the one at Berne, the other at Breslau; the Breslau manuscript is perhaps the most celebrated in existence; I describe it, but give no extracts from it. When the French took Breslau in 1806, there was a special article introduced into the capitulation, that this manuscript should not be removed. The Berne manuscript of Froissart is famous for the purity of its readings. I have printed one or two short but remarkable passages (as the death of the old King of Bohemia at the battle of Cressy), to give the English reader an opportunity of judging how far it differs from the published text.

2231. Do you think that it enters into the design of the commission to ascertain which are the most accurate manuscripts of Froissart?—I am persuaded that Parliament will not deem such matters foreign to the measures, the execution of which His Majesty has confided to the board. When the House of Commons determined that collections should be made and printed of chronicles, lives of saints, royal and noble letters, treaties and other historical materials, it could never have intended that such collections should be less perfect than similar collections published by other nations of Europe. It could never have intended that the edition of our ancient historians, or the new Fœdera, should be inferior to the corresponding works printed or projected in France and Germany; and this they most indubitably would be without the aid of foreign materials. The French and the Germans have made searches for manuscripts and diplomes in every part of Europe; I have seen in the Bibliotheque Royale at Paris, nearly 9,000 letters of the popes, connected with French history, all copied from the originals at Rome, by a person sent thither for the purpose. In the same repository are 20,000 abstracts of historical pieces in the Pontifical Archives, made by the same person. There are also inventories of the contents of all the principal archives of the Low Countries. After the peace of 1763, assistants came to this country, and were employed for several years in transcribing all the documents in the Tower of London relating to the history of France; and lately, M. Francisque Michel was sent hither by the French Government, on a literary mission; and I find, from a report recently made to his Majesty the King of the French, and of which Monsieur Guizot has had the politeness to send me a copy, that Monsieur Michel when here transcribed a chronicle in rhyme upon the Dukes of Normandy, by Benoît de S^te^ More; a History of the Anglo-Saxon Kings, by Geoffroi Gaimar; and a poem, giving an account of the journey of Charlemagne to Constantinople. M. Michel perhaps copied some other pieces; but these are all of which mention is made in the report: at all events, it was not considered that the libraries and archives of England had been exhausted by him, as a graduate of Trinity College, Cambridge, has been just appointed to prosecute the searches at the British Museum and elsewhere, commenced by M. Michel, and to transcribe

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all curious manuscripts and documents. At Monsieur Guizot's particular request, I made inquiries as to the qualifications of this gentleman for the task. But those members of the Committee who may have visited the Royal and National Library in the Rue Richelieu, are probably aware of the immense collections of transcripts which it contains, particularly from the libraries and archives of London and Rome. I will not, therefore, pursue this subject any further. I will only mention, that previously to the commencement of the Monumenta Germaniæ Historica, Dr. Pertz visited some of our principal public libraries to collect materials for that work; that he also visited Italy and other parts of the Continent; that Professor Bluhme and many other learned men have besides been authorized to make literary tours with the same object; and that the results of these researches are printed in publications especially intended to draw attention to the various manuscripts and diplomes discovered, their age, &c., in order that manuscripts of the best note, and diplomes, the genuineness of which is undoubted, may be used for this great compilation of ancient German historical matter.

2232. Sir *Robert Inglis.*] Is there any account of the reign of Edward the Third, which you conceive to be superior to the account of Froissart, himself a contemporary and companion of the army in some of its most memorable enterprizes?—No.

2233. Sir *Matthew W. Ridley.*] Is the obtaining this information attended with any additional expense?—No.

2234. Was any additional expense incurred beyond the extra time in looking over the works?—No; all this part of my labour from 1831 to the present time has been purely voluntary and gratuitous.

2235. This is done without any additional remuneration?—I neither receive nor claim, nor will accept any remuneration whatever for any work of this kind.

2236. *Chairman.*] But some expense has been incurred in order to get those books and manuscripts for your perusal?—Some expense has certainly been incurred in purchasing books to enable me to complete Appendix (A); but it will be found that very few books have been bought that will not be required either for the new edition of the Fœdera, or the materials for the History of Britain. In my judgment the Fœdera ought not to be resumed until a calendar or list is framed of all diplomes relative to English affairs, which are to be found in works printed on the Continent. The existence of many of such works is unknown to the learned men in this country; there is one which I have brought with me to-day, Lunig Literæ Procerum Europæ, in three octavo volumes, which contains not fewer than 347 letters written by or addressed to royal, noble, and official personages in this country, touching its foreign relations. When Louis the 15th resolved on the publication of a French "Fœdera," directions were given for the compilation of such a calendar or list as I have suggested; and it is to those directions that we owe the valuable, although unfinished, Table Chronologique des Diplomes, edited by Bréquigny. That table, however, notices diplomes in books printed in France as well as other countries. The editors of the Monumenta Germaniæ Historica have also recently published two or three similar works, preparatory to the commencement of that part of their great undertaking which will comprehend the diplomes. This is the only safe course, and if it had been adopted by the recent editors of Rymer, would have prevented many errors. Now a large portion of the books in the library of the commissioners will be required for framing the above calendar or list. The rest, it may be confidently asserted, will be wanted for the selection from foreign authors of all notices relative to Britain; I am speaking only of the books procured for Appendix (A). But whilst on the subject of books, as I happened to come into the room when Mr. Protheroe alleged he had seen D'Israeli's Curiosities of Literature in one of the bookseller's bills, I cannot refrain from saying that such a book could only have found its way there by some most strange mistake; and I do not think it at all probable that the item would have escaped my notice. This, however, shall be inquired into: as to the question concerning expense in reference to manuscripts, I fear I do not quite understand it.

2237. For instance, has the looking over this manuscript of Froissart caused any expense?—The manuscript is at Breslau; I never saw it; I never was at Breslau.

2238. How does that tally with your former answer, that you have read all the works mentioned here?—I have read or examined all the printed books necessary to enable me to compile the Appendix (A); of course I have not seen, much

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less read the manuscripts, of which notices are scattered through every page of such appendix.

2239. Mr. *Pusey*.] With reference to the Lives of the Saints, did you not consider them essential, as illustrating the state of the literature of the country?—The lives, legends, acts, miracles and translations of saints, necessarily form part of the early history of every nation of modern Europe.

2240. Did you consider the state of the literature of the nation a very important element in the work you have alluded to?—Undoubtedly I did; I shall have occasion to show that the views of the board do not differ upon this point from those of Monsieur Guizot, who, as Minister of Public Instruction, is at the head of what may be called the record commission of France. I have unluckily mislaid a copy he sent me some time ago of one of the letters circulated by him in France, and which relates to this very subject.

2241. *Chairman*.] How does the work of a Saxon nun illustrate the state of English literature; how would the visions of this nun of the electorate of Saxony throw any light upon the literature of England at any time?—We cannot tell without perusing the said visions; but to me it is not very difficult to conceive that such a manuscript may not be altogether useless to the student of English history or literature.

2242. Do you mean with a view to the literature or the history of England; is it necessary for the commission to ferret out all the absurd visions that a nun in Saxony had about some ancient Popish legend?—I am afraid if all that we may deem visionary or absurd is to be excluded from history, there will be a great curtailment of the materials for it, whether it be ancient or modern.

2243. Sir *Robert Inglis*.] Much of the evidence which has been recently taken, and the questions which have been addressed to you, have proceeded upon the fact of certain volumes, marked A, B, C, D and E, being laid on the table of the Committee; will you state to the Committee generally how it happens that those volumes are presented without title-page, preface or index; in short, whether they are or not in a state which you regard as finished or unfinished?—All these volumes have been most reluctantly laid upon the table of the Committee. Of some of them the destination is quite uncertain. Of none of them can the Committee form a correct judgment without seeing the report to which I alluded some time ago, and which is not yet ready. These volumes are bodies without heads.

2244. *Chairman*.] You have got some extracts here from various books?—The four manuscript volumes which I hold in my hands are entitled, "Ad monumenta insularum Britannicarum historica et litteraria quæ in diversis bibliothecis tam publicis quam privatis urbis Romæ extant, collectio prima. Monumentorum Britanniæ antiquitates concernentium quæ in diversis urbis Romæ armariis extant, collectio secunda. Monumentorum Britanniæ antiquitates concernentium quæ in diversis urbis Romæ vel etiam in aliis Italiæ armariis habentur, collectio tercia. Bibliotheca Britannica sive monimenta medii ævi ad res sive historicas sive litterarias Magnæ Britanniæ spectantia quæ in diversis armariis vel Romæ vel aliarum partium Italiæ habentur, collectio quarta." These were compiled by a very learned abbé, who has obtained for the board from his Holiness the Pope a facility of access to the treasures of the Vatican, of which there are few examples in the history of that repository. But I am anxious before this day's examination closes to impress upon the Committee, that in making these collections, portions of which are now produced by way of specimens, whether such collections be with a view to the Fœdera or to the materials for the History of Britain, the commissioners have been actuated by a desire that these two great works, the compilation of which has been confided to them by His Majesty and Parliament, should be worthy of the nation; and it has appeared to them that this would not be the case had they neglected the means pointed out by learned men, and adopted by other countries of Europe, for perfecting similar publications. The commissioners have undoubtedly considered, that it was the intention of the House of Commons that they should avail themselves of all opportunities that might occur to throw light upon the ancient history and literature of the British Isles. They have looked upon the Report of the Select Committee of 1800 as their instructions, as regards one department of their labours; and the Sketch of a Plan, &c. as their instructions, as regards another department of their labours. The Recueil des Historiens des Gaules et de la France, having too given rise to this "Sketch," the commissioners could hardly shut their eyes to the series of magnificent publications of the French Government, of which that historical collection forms part only; to the Histoire Littéraire

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raire de la France, the 17th vol. of which appeared in 1832; to the Notices et Extracts des Manuscrits de la Bibliotheque Du Roi et autres Bibliotheques, of which the 12th volume was published in 1831; to the Ordonnances des Rois de France, which in 1828 had reached the 18th volume; not to mention the Gallia Christiana, the Concilia, l'Art de verifier les Dates, and the Diplomata, Chartæ, Epistolæ, et alia Documenta ad Res Francicas Spectantia. And if the commissioners could not fail to notice these great and useful publications of a rival nation, most of which were completed or commenced previously to their institution, how is it possible that they could be indifferent to the proceedings of the record commission of France during the last year. The Minister of Public Instruction evidently attaches a much higher degree of importance to certain literary inquiries, than, judging from the merriment they have excited, some of us are disposed to attach to them in this place. Monsieur Guizot, in his circulars, gives minute directions for the examination of Bibles, missals, rituals, psalters, New Testaments, &c. He inquires after manuscripts of Terence, Quintilian, Suetonius, Livy, Cicero, Greek glossaries, palimpsestes, &c. He asks if such manuscripts have been carefully collated by skilful persons, and a great many other particulars. In the circular addressed by him to each "Correspondant historique," he requires notices of all manuscripts on mathematics, physics, meteorology, alchemy, arithmetic, cosmography, surgery, zoology, botany, algebra, metaphysics, &c.; of all those containing ancient travels and miracles, mysteries, moralities, and other old dramatic pieces; of grammars, glossaries, and old treatises upon language; of old collections of proverbs, fables, &c.; of ancient poems on hunting, equitation, the game of chess, &c.; of liturgies, and many others, too numerous for me now to mention. Amongst the works, too, sent to press by the record commission of France, during the year 1835, are a history in verse of the Crusade against the Albigenses, several cartularies, some inedited fragments of Abelard (edited by Monsieur Cousin), consisting of the treatise Sic et Non, a Commentary on the Organon of Aristotle, and Glosses upon Porphyry. Lest, however, the Committee should be alarmed, it is proper to state that no publications of this kind are in the contemplation of His Majesty's commissioners. They are content to procure notices of any manuscripts of works of this kind, composed by natives of the British Isles, which may exist in Continental libraries; and as these notices cost the public nothing, the occasion of procuring them ought not to be neglected. For amassing historical materials in foreign archives and libraries, in my opinion, no precedent is wanting; but if it be, there are several other countries besides those mentioned by me in to-day's examination which will furnish one. Two occur to me at this moment; Prussia and Denmark. Niebuhr and Bunsen have procured copies from the Vatican of everything relative to the early history of the first-mentioned country; and it is worth while to mention, that the King of Prussia has expressed a determination that his resident at Rome shall always be well versed in classical and ancient literature, in order to take advantage of any opportunity of obtaining manuscripts for the Berlin Library. The King of Denmark has lately employed the Prussian historian Vogt to transcribe for the Royal Library at Copenhagen, all instruments relative to Danish affairs preserved in the Brandenburgh archives at Konigsberg. The proceedings of the record commission of Belgium must be too well known for it to be necessary for me to allude to them.

Veneris, 22° die Aprilis, 1836.

MEMBERS PRESENT.

Mr. C. Buller.	Dr. Bowring.
The Right Hon. C. W. W. Wynn.	Mr. Pusey.
Mr. Hawes.	Sir Matthew White Ridley.
Sir Charles Lemon.	Sir Robert Inglis.

MR. C. BULLER, IN THE CHAIR.

Charles Purton Cooper, Esq. called in; and further Examined.

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2245. Mr. *Hawes.*] WHO is considered the responsible person for the accounts of the commission?—The secretary.

2246. And who is considered responsible for the accounts returned to Parliament in the returns which have been moved for from time to time?—The secretary.

2247. Are the Parliamentary returns relating to returns submitted to and approved of by the commissioners?—It never has been the usage that returns to Parliament should be submitted to or approved by the board. It was not the usage of the former commission, and it has never been suggested that such a course should be taken under the present one. The last returns to Parliament was shown to two or three of the commissioners before it was sent in, but was never submitted to the board.

2248. Then a return so moved for and sanctioned by the House of Commons, is it or is it not submitted to the board?—Mr. Caley informed me that it was not the usage of the former commission, and it has not been the usage of the present commission.

2249. When was the board cognizant for the first time of those returns which have been moved for in the House of Commons relating to the commission, since you have been secretary?—I am not aware.

2250. Have the board at this moment any official knowledge of them?—I am not aware that the returns have been laid before the board.

2251. Can you state distinctly whether the board has or has not official knowledge of the returns moved in the House of Commons?—I cannot state decidedly without consulting the minute-book. I think it is very probable that all the individual commissioners who are in the habit of attending the board are cognizant that the returns were moved for and prepared; but they were never officially laid upon the table of the board.

2252. Dr. *Bowring.*] Was it reported to the board on the occasion that Parliament had required returns?—Certainly it has been often the subject of conversation; but the thing being so notorious, and many of the commissioners, particularly when the first returns were moved for, being Members of Parliament, it was not, I apprehend, thought necessary to load the proceedings of the board with documents of that description.

2253. Then is it your impression that the minutes of the commission have no reference to Parliamentary returns?—I should think not. When the first returns were printed, I applied to The Speaker for copies of them, and those printed copies were sent to the different commissioners.

2254. Mr. *Hawes.*] You have stated that the commissioners knew that returns were moved for, and that they knew of the preparation of the accounts in obedience to that return?—They knew it, some of them as Members of Parliament, and others from the subject of the motion for the returns having been repeatedly the subject of conversation, both at the board and between individual commissioners and the secretary.

2255. And they knew of the preparation of the accounts in obedience to that return?—They knew that the secretary was engaged in preparing those returns.

2256. Did they take any steps to ensure their accuracy?—The duty for the last 30 years has always been performed by the secretary.

2257. Then, if the accounts are inaccurate, the commissioners are in no way cognizant

cognizant of the fact, nor are they responsible for the inaccuracy?—Not in the least.

2258. The responsibility for those accounts rests with the secretary?—Yes, and the person whom he employs.

2259. Who do you employ in reference to these accounts?—The last returns to Parliament (which were sent in, I think, on the 15th January) were prepared under my own special directions.

2260. Dr. *Bowring*.] By an accountant?—By my clerk, assisted by an accountant; not a regular accountant, but a person who is much more conversant with accounts than I and my clerk are.

2261. Mr. *Hawes*.] Now when the accounts are laid before Parliament, are they then submitted to the board?—I have already stated my belief, that the returns have never been laid before the board in any official form. There have been but three sets of returns: the first was made in December 1833, in pursuance of an order of the House of Commons, dated in August 1833; the last have been made in the present year.

2262. Who receives the money granted by Parliament from the Treasury?—In the first year of my appointment, being ignorant of the mode in which the financial affairs of the board were transacted, I asked Mr. Caley to go with me to the Exchequer; and I found, to my great amazement, that I was to receive, in cash, the sum of 10,500 *l.* I was very much surprised at it; I might have put it into my pocket, and gone off to America the next day.

2263. Mr. *Hawes*.] Which sum you received?—Yes.

2264. Without the intervention of the Treasury order?—No.

2265. Dr. *Bowring*.] Did you take any preliminary steps at the Treasury in order to obtain the payment from the Exchequer?—I obtained His Majesty's warrant there, according to the then usage.

2266. Mr. *Hawes*.] Having received that sum of money, did you announce the fact to the commissioners?—Not officially.

2267. Are there no account-books of the commission, then, which are open to the inspection of the commissioners; I mean official books, strictly such?—There are. Allow me to state there were no account-books whatever belonging to the old board; therefore, whatever defects there are (and there are numerous defects in the present system), it is a great improvement on the old one.

2268. Dr. *Bowring*.] Do you mean that the old board nowhere recorded their receipts and payments?—No; 360,000 *l.* and more, passed through their hands, and there is no trace of it whatever.

2269. Mr. *Hawes*.] Will you state precisely the books that are to be considered as the account-books of the commission?—When I was appointed secretary I found no account-books. I thought the system defective, and I immediately directed my clerk to prepare two books. The one has been, most improperly and ignorantly, by me sometimes called a ledger: I am told, by persons conversant with accounts, that it is a mere journal. The other is called, and improperly also, a petty cash-book. The distinction between the two was the journal contained payments made by myself, by cheques drawn upon the bankers, or payments made by the bankers themselves; the petty cash-book contained payments made by my clerk, out of any monies belonging to me that he might happen to have in his hands.

2270. Dr. *Bowring*.] Into what bank did you pay the sum received from the Exchequer?—I went with Mr. Caley, and I paid that sum into the bank of Williams & Co., in Birchin-lane, to the account of the commissioners.

2271. Was it drawn out without the signature of the commissioners on any occasion?—It was drawn out almost immediately; for, although the sum was large, it was to pay demands upon the old board. Except I think about 1,000 *l.*, it was drawn in the course of a few days; and, with the exception of Mr. Thomson, of Edinburgh, to whom about 3,000 *l.* was due from the old board, and who neglected to apply for it, nearly the whole of it was paid away immediately.

2272. Did the commissioners, in whose names the amount was paid into the bank, sign the cheques by which the same amount was drawn out?—Never. That is a defect existing in the present system, which I took the liberty of pointing out to the Chancellor of the Exchequer last December.

2273. Mr. *Hawes*.] Is it paid into the bank on account of the commission?—Yes. I am not quite sure whether it was by the secretary *qua* secretary. All the cheques are signed "C. P. Cooper, Sec. Com. Pub. Rec." The heading of

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the present account is, "His Majesty's Commissioners on the Public Records of the Kingdom in account with Messrs. Robert Snow, William Strachan, Sir J. D. Paul and J. D. Paul." I forget what the first was; if it was not that, it was "Secretary to His Majesty's Commissioners on the Public Records."

2274. But the money so received by you is paid into the bankers by you, and drawn out by you without any other signature whatever?—Yes; and in the first instance might have been misapplied by me.

2275. Does it all go through the same bankers?—All.

2276. Who authorizes the payments on account of the board?—The payments are for work done by the order or with the sanction of the board; the performance of that work is the authority for the payment.

2277. Who gives the authority for the payment of any sum for work done?—There is no previous order made by the board for any specific sum; for instance, when a person has edited a book, the board may know that he will receive for it 150 *l.*, but the board never makes an order that the 150 *l.* should be paid.

2278. Dr. *Bowring.*] Then the board never interferes in the actual fact of payment?—The board never previously makes an order for payment.

2279. Mr. *Hawes.*] That applies only, does it not, to cases in which the engagement involving payments are made with the sanction of the board?—I apprehend it will be found that no person has performed any considerable work without the sanction and knowledge of the board. If the auditors, when they come to audit the accounts, should find that a sum of money had been paid to a person of whom they never heard, and had reason to believe that he had not been employed by the board, I apprehend they never would think of allowing that sum to the secretary.

2280. Dr. *Bowring.*] The board never interfered in the fact of payment; but no responsibility could be incurred which would involve a payment without the sanction or knowledge of the board?—There are no large payments without the sanction or the knowledge of the board; there may be small ones.

2281. Mr. *Hawes.*] Are there not some payments, running from 500 *l.* to 1,000 *l.*, for instance, for repairs and for books purchased?—I know of no payment for repairs properly so called.

2282. Dr. *Bowring.*] Foreign purchases, or expenses incurred in other countries?—Expenses for books and for transcripts are expenses that are incurred like the wages of workmen, from day to day; they are generally of small amount, and are paid at once under the general authority.

2283. Dr. *Bowring.*] If I understand you, the board gave its sanction for the appropriation of a certain sum to such a purpose; and on that credit did you draw?—No, that has never been the course. It will not be found, on looking at the minute-books of the old commission, that any of the books were purchased, or any of the smaller transcripts made, by the order of the board; they were done under the general authority or discretion which was vested in the secretary: if he abused that discretion, he would of course become accountable to the auditors and to the board.

2284. There was nothing like a general appropriation of the whole fund to a specific purpose; that is to say, the board had no cognizance of the appropriation which might be voted to particular departments, or the expenses of a particular charge?—There has been no appropriation of any specific sum for printing, of any specific sum for repairs, (repairs of records, not of houses,) or of any specific sum for transcripts. Those large sums for books, for instance, the Committee will observe are spread over five or six years.

2285. Mr. *Hawes.*] Then the board did not directly authorize the individual payment?—It did not.

2286. That is a duty entrusted to yourself?—The board has laid down general rules for the remuneration of the principal persons, as to the rate of payment; and the secretary follows those rules.

2287. Will you explain the mode of auditing the accounts?—The former accounts of the board were never audited. When I was appointed secretary, to my utter astonishment I found this mode of transacting business. There were no bankers, but the King's printers paid, by the order of the secretary, various sums of money, which were included and charged in their bills; and those bills, amounting yearly to 10,000 *l.*, 11,000 *l.*, or 12,000 *l.*, were afterward vouched by the secretary, and paid at the Treasury. Mr. Caley, as it appears from a document which I have here,

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here, received more than 40,000*l.* of the public money paid to his order, not one farthing of which was ever audited—that was the system I found; I have it here. In fact, 49,752 *l.* 3 *s.* 2 *d.* was paid by the King's printer to the order of Mr. Caley, to his own clerk, Mr. Charles Gay, and other persons; and not one farthing of it was ever audited.

2288. Will you explain the present mode of auditing the accounts?—When I was appointed secretary, I pointed out, to Lord Brougham and some other commissioners, this objectionable system; and I proposed that, instead of the secretary giving an order upon the King's printer, and the payment being included in the King's printers' bill, and afterwards vouched by the secretary, (who was thus, in fact, vouching his own payment), the money should be paid into a bank, and be drawn out by cheques; that every item should afterward be vouched by the secretary; that he should produce his voucher for every payment; and that those payments should be audited by the board. Accordingly the money was paid into the bank of Messrs. Williams & Co., when received by me from the Treasury. I said the first sum that I received was 10,500*l.*; but I see it was not, for the King's printers' bill was deducted from it. I received 6,538 *l.* 12 *s.* 2 *d.* first; since that I have always received the full amount.

2289. Will you confine yourself at present to the description of the mode of auditing the accounts?—The auditors met once at Mr. Hallam's house; and since that they have always met in Boswell-court, where the business of the board is carried on.

2290. At your own office, in fact?—In Boswell-court the books are produced, which contain the payments in chronological order; the bills are produced and examined there, (and Mr. Protheroe has generally taken avery full note of every bill,) the vouchers are examined, and then the account is signed by the auditors. The first account was signed on the 6th of July 1833.

2291. What is the form of the declaration of the auditors?—"The committee appointed to audit Mr. Cooper's accounts have examined the vouchers produced for the principal payments included in the foregoing pages, as numbered from 1 to 92 inclusive, which they have found to be correct, and report that the balance of 930 *l.* 4 *s.* 9 ½ *d.* should be carried to Mr. Cooper's debit in the next account. (signed) Henry Hallam, John Allen, Edward Protheroe, jun." Then, in the petty cash-book, the payments are examined and vouched in the same way, except of course the very small ones; and a like subscription is placed at the end of the account.

2292. That completes the audit?—Yes.

2293. Now the bills that are presented are not previously submitted to the board?—On no occasion, unless a difficulty arises.

2294. Have the auditors made any official complaint as to the mode in which expenses were incurred or liquidated?—No complaint whatever.

2295. Has the Treasury ever made any complaint relating to the mode in which the accounts have been kept?—Previously to last December, I had no communication whatever from the Treasury upon the subject of the account, except in a letter, dated 22d July 1834, from the honourable James Stewart, in which he states, "I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you they have examined the accounts and vouchers, transmitted by you in your letter of the 19th August 1833, and are pleased to approve of the same, with the exception of the sum of 23 *l.* 10 *s.* 9 ½ *d.*, which is erroneously claimed for petty cash disbursements, leaving you indebted in that sum;" (it had been carried to the wrong side of the account,) "leaving you indebted in the sum of 953*l.* 15*s.* 7*d.*, which my Lords desire you will carry forward to your next account for this service."

2296. State the date when that balance was struck against you?—March 12, 1833.

2297. Dr. *Bowring.*] I observe neither the book which contains the account of the great expenditure, nor that of the petty cash, contains any record of daily payments; the accounts are made up to the same time?—They both contain the dates of the payments.

2298. Is there no record of the payments when made; these books appear to be copies of some others?—The accounts are taken from the cheque-ends and from the bills and vouchers.

2299. Is there no record made at the time of payment?—My clerk keeps no other regular account, separately.

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2300. In both cases, both with respect to large and small payments, these pages have obviously been written all at the same time?—They are all written at the same time.

2301. At the moment of payment is any record made of outgoings. These books do not represent daily payments?—Those dates show when the payments are made. My clerk makes a memorandum of what he pays, in the same book in which he makes memorandums of fees received by me as a barrister. The accounts are made up thus: when Sir Harris Nicholas calls on me and requests the payment of a sum of 100 *l.* due to him; I draw a cheque, and he forwards a voucher, probably the next day; the cheque-book and my clerk's common memorandum-book furnish the dates and particulars of all the payments.

2302. Do you mean the cheques and vouchers are thrown aside?—No; the cheque-ends will show every payment that is made by me; that book is taken from the cheque-ends.

2303. There is no record of daily payments at the time?—None, except the cheque-ends.

2304. The petty cash cannot, then, have any reference to cheques?—My clerk has a record of the petty cash mixed up with other payments; he has a memorandum-book in which he keeps an account of payments made by him on account of the Record Commission, as well as of payments made by him on account of me.

2305. As I understand you, the payments made by the Record Commission have been confused and mixed with your general cash account?—No, except the small payments called petty cash.

2306. Why then is there not a record of daily payments?—On account of the trouble.

2307. Mr. *C. Wynn.*] Are not then the cheque-ends in themselves a record of all daily payments, except of the petty expenses?—They are, unless a large payment is made by my clerk in my absence out of my own fees, which afterwards he takes credit for in his account of disbursements made for the Record Commission; but, in that case, the voucher, which is preserved, is a record of the payment.

2308. Mr. *Hawes.*] You stated on the 12th March 1833, according to a letter from Colonel Stewart, that the Treasury made you in debt in, I think, the sum of 953 *l.* 15 *s.*; that is to say, as secretary of the commission, you was in debt on the public account to that amount?—At that time.

2309. Now, have you returns made to the House of Commons, which is stated to be an account of the sums of money received by the commissioners, &c., and of the manner in which such monies have been expended, from the date of the commission, 12th March 1831, to the 1st of August 1833?—I have.

2310. Will you refer to a note which is appended to that account, and explain the statement there made with the statement made by Colonel Stewart, that statement being, that the disbursements had exceeded the receipts by the sum of 69 *l.* 4 *s.* 3 *d.*, whereas, by Colonel Stewart's letter, it appears that the commissioners were, in point of fact, in debt to the public?—The explanation is given in the last return to Parliament; but it is very easy for me to give it again now.

2311. What return?—That made in January last; by your copy I shall find that it is explained somewhere. This is the note to which I refer: in the last return to Parliament, which was dated in January last, it is said that "On the 12th March 1833, there was a balance in hand arising from an advance made by Messrs. Eyre and Spottiswood; the return made, in December 1833, of receipts comprises only the Parliamentary grant, and the monies arising from the sale of books; hence according to that return there was, on the 12th March 1833, a small sum due to the board." That is the explanation. The return to Parliament is a return of the monies actually received from the Treasury, and of the monies arising from the sale of books.

2312. Does the return comprise as well the Parliamentary grant as all the disbursements within the dates of the return?—All comprised within the dates of the return.

2313. In the account submitted to Parliament by you, and which professes to be an account of sums of money received, and of the disbursements made by the Commissioners of Records, between the 12th March 1831 to the 1st August 1833, does that account comprehend all the disbursements that you made as secretary to the commission?—It comprises all the disbursements up to 12th March 1833.

2314. There

2314. There were no other sums of money which you paid during that time than those which are accounted for in this return?—Not that I am aware of; if there were I must have paid them out of my own pocket, and lost the money.

2315. Have you the return now before you?—I have.

2316. Will you refer to page 3, and you will there find the sum of 1,031 *l.* 14 *s.* paid on account of printing the abridgment of the Register of Seisins; will you state whether that sum was paid, and the date of the payment, and also produce the cheque by which the payment was made?—That sum of 1,031 *l.* 14 *s.* was paid by the Treasury; I never received it.

2317. You did not pay it then?—No; it was paid by the Treasury, and deducted from the 10,500 *l.*

2318. Deducted from what 10,500 *l.*?—The amount of the Parliamentary grant in 1831.

2319. Is it not made part of the payments to the amount of 21,500 *l.* which you returned to Parliament as actual disbursements?—Yes, it amounts to the same thing; for though we charged ourselves with the 10,500 *l.* in the return to Parliament, it so happened that in that year, (the only instance which has occurred,) the King's printers' bill in England and the King's printers' bill in Scotland were deducted from the Parliamentary grant, and were paid by the Treasury; therefore I have no voucher for those payments. I did not make the payment of 1,031 *l.* 14*s.*, it was made by the Treasury.

2320. But it forms part of a total of 21,590 *l.*, returned to Parliament as actual disbursements?—Yes, we charge ourselves with the whole grant; and, of course, though part was paid by the Treasury, we took credit for that payment.

2321. Then you did not receive 10,500 *l.*, as stated in that account, from the Treasury?—I did not actually receive so much money from the Treasury, but the Treasury made payments on behalf of the board.

2322. Who received then the 10,500 *l.*?—I received not 10,500 *l.*; I received 6,538 *l.* 12 *s.* 2 *d.* only.

2323. Was the King's warrant for 10,500 *l.*?—That I cannot state; I should rather think not.

2324. Did you or did you not receive 10,500 *l.*?—I did not receive that sum.

2325. Then the King's warrant was not for 10,500 *l.*?—The King's warrant must have been for 6,538 *l.* 12 *s.* 2 *d.*

2326. Why did you state to Parliament the receipt of 10,500 *l.*?—We were called upon to return to Parliament the amount of the grants made for the service of the Record Board. The amount of the grant that year was 10,500 *l.*, of which the larger portion actually reached the hands of the secretary; the other portion was deducted in two sums, the one paid to the King's printers in England, and the other paid to the King's printers in Scotland, for work performed under the direction of the former board.

2327. In point of fact, the account is neither an account of actual receipts or actual disbursements, as far as the Record Commissioners are concerned?—It never could have been the intention of Parliament, that, in any return, we should conceal from the House of Commons the fact that we had received so large a sum as 10,500 *l.* That sum had been actually supplied for the service of the commission, although only 6,538 *l.* 12 *s.* 2 *d.* reached the hands of the secretary.

2328. Sir *Robert Inglis.*] In other words, you receive credit for 10,500 *l.* and not cash; 6,538 *l.* 12 *s.* 2 *d.* being paid to you in cash, 1,031 *l.* 14 *s.* being paid by the Treasury, on account of the commission, to the King's printer in Scotland, and the balance, 2,929 *l.* 13 *s.* 10 *d.*, making with the two preceding sums the amount of the Parliamentary grant for that year, of 10,500 *l.*, being expenses paid by the Treasury, also, on account of the commission, to the King's printer in England?—Just so.

2329. Mr. *Hawes.*] But then I understand you distinctly to state this 1,031 *l.* 14*s.* was actually paid by the Treasury, and was paid out of the 10,500 *l.* in question?—The 1,031 *l.* 14*s.*, the amount of the King's printer's bill for Scotland, was actually paid by the Treasury out of that sum.

2330. Now give me the date?—I do not know when they paid it: it never reached my hands.

2331. It was paid out of the 10,500 *l.* received by you?—No; it was deducted.

2332. It was paid out of that sum received by you on the 26th August 1831?—It

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—It was deducted, it never reached my hands. If I have taken credit for it anywhere as having been paid for by me, I have taken credit for what was not done by me.

2333. Now you are aware that the Treasury has made an analysis of the accounts of the Record Commission?—I have been favoured with an analysis of the accounts for the two years beginning in March 1833, and ending in March 1835.

2334. In that analysis, within the period of the Parliamentary return referred to, did you find any entry there of the payment which you state to have been made out of the 10,500 *l.* received on the 26th August 1831?—The analysis which I have received from the Treasury is subjoined to the letter dated 16th February 1836; that letter was signed by Mr. Spearman, and is to this effect; it is addressed to the Commissioners and not to the Secretary.

"My Lords and Gentlemen,

"The Lords Commissioners of His Majesty's Treasury having received from the auditors of this board a report of the accounts of your secretary for the expenditure of the period commencing 12th March 1833, and ending 12th March 1835, in the principles and recommendations contained in which report my Lords entirely concur; I have it in command to transmit herewith a copy of that report, and of the statement therein contained, with the recommendation of this board that you should give such instructions upon the subject as should appear to you to be necessary for placing this matter for the future upon the footing suggested by the Treasury auditors, if you should concur, which my Lords do not doubt, in opinion with this board, as to the advantages to be derived from the adoption of those recommendations."

Then comes the report of the Treasury auditors to the Lords of the Treasury; it is dated 11th February 1836.

2335. Have you the analysis of the account?—To that report is subjoined a "Statement of the Account of C. P. Cooper, esq. as Secretary to the Commissioners of the Public Records of the Kingdom, in respect to the sums issued, &c. to him to defray the expenditure of the Commission, from the 12th March 1833 to the 12th March 1835." It appears from that statement or analysis, that the account of Mr. Cooper was in surplusage 4,933 *l.* 19 *s.* 3¾ *d.*, in addition to which the sum of 3,000 *l.* remained payable to the King's printer.

2336. This is an analysis of the account from March 1833 to March 1835?—Yes.

2337. And it is an official paper?—It appears to be so.

2337*. Have you any doubt of that?—I know that it is.

2338. I now beg to put in your hand a return to an order of the House of Commons, dated 5th February 1836, for a copy of the accounts, or analysis of the accounts, now in possession of the Treasury, relating to the said Record Commission for the years 1830, 1831 and 1832; will you look at what is called the charge in that account, and state whether or no the charge is not less than the sum which you have stated the Treasury paid out of the 10,500 *l.*?—I never saw this document before, but the charge is the same for these two years, 16,538 *l.* 12 *s.* 2 *d.*: therefore, it is quite clear, from that sum have been deducted the two sums which I stated that the Treasury and not the secretary paid, the one to the King's printer in England, and the other to the King's printer in Scotland; otherwise it would have been 20,500 *l.*

2339. Does not that account make allowance for the sum which you state was paid out of the 10,500 *l.*, still make you in debt to the extent of 953 *l.* 15 *s.* 3 *d.*?—And that is correct, because the Treasury also charges me with a sum of 1,000 *l.*, which had been advanced by the King's printer.

2340. Is that sum of 1,000 *l.*, which had been advanced by the King's printer, returned to Parliament, under the head of receipts, in the account which has been referred to of the receipts from March 1831 to August 1833?—It is not; and for this reason, that the accommodation granted during the last 30 years, by the King's printers to the Record Commissioners, has never been returned as part of the receipts of the board. The return applies only to the Parliamentary grant, and not to any accommodation that might be granted to the Commission by the King's printer, or by the banker, or by any other person; it applies only to the actual Parliamentary grant. Both the auditors and the Treasury, and the board, were aware that its affairs could not be carried on without such accommodation.

2341. But then you had received 1,000 *l.* between the 12th March 1831 and 1st August 1833?—On the 8th March, four days before the end of the year, 1,000 *l.* were borrowed from the King's printers.

2342. You

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2342. You had received 1,000 *l.*, and you had not paid a sum equal to 1,000 *l.*?—I had only paid 69 *l.* 4 *s.* 3 *d.*, the balance was 950 *l.* The 1,000 *l.* was paid by Eyre and Spottiswood into the bank of Williams & Co.

2343. But how could you return an advance of 69 *l.* 4 *s.* 3 *d.* on account of the commission, when, in point of fact, you had this 1,000 *l.* of the King's printers in hand?—It was an accommodation granted by the King's printers, it may be said in some measure to the secretary, to enable him to carry on the business of the board; and I doubt very much whether the secretary is not personally liable to repay that sum of money. I could not consider it as a grant made by Parliament; it is a sum of money which was advanced consistently with the former usage, only in a less objectionable form; it was advanced by the King's printers, in order to enable the board to carry on its operations. As I have already stated, the former usage was for the secretary simply to give an order upon the King's printer to make a payment, which payment was introduced into their bill; and I have already shown that nearly 50,000 *l.* passed through Mr. Caley's hands, not one farthing of which was ever audited. Here I ought to state that, in the Treasury letter of 1834. The Lords of the Treasury objected to that species of accommodation; the letter of July 1834 contains this passage: "With reference to the sum of 1,000 *l.*, which is credited as an advance by the King's printer, my Lords consider that loans of this nature from tradesmen are, in principle, decidedly objectionable; and they desire such accommodations may not occur in future." In consequence of that no more money was borrowed from the King's printers, and the only possible course was to get it from the bankers.

2344. Will you turn to the Treasury analysis of accounts, and will you state whether the King's printers' bill for England is paid in it?—I have never seen your analysis before; this is from March 1833 to March 1835; but yours is from the year 1831 to March 1833. No copy of the analysis for the first period has ever been forwarded to me.

2345. When was the King's printers' bill for England paid?—In which year?

2346. In any year since you have been secretary?—In the first year I cannot state the date, because the King's printers' bill was paid by the Treasury and deducted from the grant; in the second year I paid, on the 2d June 1832, the sum of 4,250 *l.* to the King's printers. In the third year I paid, on the 2d January 1834, three different bills to the King's printers; the first for 289 *l.* 19 *s.*, the second for 481 *l.* 3 *s.*, and the third for 389 *l.* 10 *s.* 6 *d.* In the fourth year I paid to them two bills; the first for 2,177 *l.* 3 *s.* on the 8th July 1834, the second for 2,049 *l.* 3 *s.* 2 *d.* on the 11th July 1834.

2347. Dr. *Bowring.*] Do either of those sums include the repayment of the 1,000 *l.* which had been temporarily advanced by the King's printer?—On the 8th July 1834, I repaid to the King's printers the sum of 2,000 *l.*, in part of the advances which they had made by way of loan, which, at that period, amounted altogether to 5,000 *l.*; leaving 3,000 *l.*, which is still due to them. At the same time I paid to them the sum of 177 *l.* 3 *s.* for interest.

2348. But the advances made by the King's printer had not appeared in the Parliamentary returns?—No, they never have. I have shown 49,000 *l.* advanced by the King's printer, not one farthing of which, under the old commission, was ever returned to Parliament. I can give the dates, from 1807 to 1830. £. 49,750. 3 *s.* 2 *d.* was the total sum advanced by them.

2349. Mr. *Hawes.*] Give me the dates of that Treasury analysis you have got?—From March 1833 to March 1835.

2350. By the account presented to Parliament, stating the receipts and disbursements in the commission, from the 30th April 1830 to the 31st March 1831, it appears that the sum of 1,031 *l.* 14 *s.* is returned as an actual disbursement by the commission?—If it be returned as a disbursement by the commission, the commission is charged with the 10,500 *l.*; December 31, 1830, 1,031 *l.* 14 *s.* I was called upon by this return to state what were the receipts between April 1830 and March 1831. I was also called upon to give an account of all debts and liabilities of the Record Commission in March 1831, specifying the nature and amount of each, the parties to whom due, and the dates when contracted. Not having been secretary to the former board, and, as I have already stated, there being no account-books of the former board, the only way in which I could possibly get at the receipts was by ascertaining how much had been

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paid to the King's printers, (who at that time, as the bankers of the board, paid all Mr. Caley's orders,) and how much had been received by Mr. Caley, under the Treasury warrant. Thus I ascertained that the King's printer had received the sum of 7,941 *l.* 8 *s.* 11 *d.*; and that the amount of the Treasury warrant was 6,112 *l.* 10 *s.* Those two sums, therefore, would form the receipts during that period, as stated in No. 1 of the Returns. No. 2 of the Returns is an account of the debts and liabilities in March 1831; and among those debts, of course, was that sum of 1,031 *l.* 14 *s.* due to the King's printer in Scotland. It is only returned as a debt which was, in March 1831, due from the board.

2351. But not due at the time this account was returned to Parliament?—It does not purport to be due at that time. If it was on your motion, you will recollect that you moved for an account of all debts and liabilities to March 1831.

2352. I want to know why it is appended to that account?—Because it was actually due in March 1831, and therefore came within your motion.

2353. Have you any general account of disbursements now to which you can refer the Committee?—I have no account except the books, which have been audited by Mr. Hallam and two other commissioners.

2354. You have no account to show whether the 1,031 *l.* was ever paid?—No proof whatever; it was never received by me.

2355. Whether by you or the Treasury?—I cannot prove that it was paid by the Treasury.

2356. You have no means of informing the Committee whether that sum of 1,031 *l.* was paid by the Treasury or not?—In subsequent years the whole amount of the grant has been received by me, and the King's printers' bill has been actually paid by me: but in the first year the whole was not received by me; and payment was then made by the Treasury to the King's printers in England, and to the King's printer in Scotland.

2357. Mr. *C. W. Wynn.*] Was it stated to you by the Treasury whether they had paid those sums?—I really do not recollect whether it was stated so; they only paid me the balance.

2358. They paid you the balance?—Deducting those two bills.

2359. That was on the part of the Treasury?—His Majesty's warrant (for at that period the payments were made by a Royal warrant) was for 6,538 *l.* 12 *s.* 2 *d.*, the King's printers' bill in England, and the King's printers' bill in Scotland being deducted.

2360. That was due 12th March 1831?—Yes.

2361. Mr. *Hawes.*] I hold in my hand here a return, signed F. Baring, and which is a copy of the accounts, or an analysis of the accounts now in possession of the Treasury, relating to the Record Commission, for the years 1830, 1831 and 1832?—In 1830 I was not secretary; I was not appointed until March 1831.

2362. Can you show me in that account any item which purports to be a payment to the King's printer on account of 1,031 *l.* 13 *s.*?—I never saw this analysis before; but that payment cannot be here, because they have charged only 6,538 *l.* 12 *s.* 2 *d.*

2363. They also charged you with 1,000 *l.*?—Yes, borrowed from the King's printer.

2364. And they make you in debt the balance of 953 *l.*?—Yes.

2365. Will you explain another circumstance? In the return you give to Parliament there is a general absence of dates and payments.—I can furnish the dates.

2366. Why were the dates omitted in the printed return?—Mr. Caley, who was then living, stated to me that the dates were not necessary.

2367. And upon that opinion you acted in making your return to the House of Commons?—Yes; and looking at all similar returns I find the dates were omitted.

2368. Will you explain another circumstance to the Committee; namely, the alteration which you have made in the heading of the return; you being called upon to show the date of every payment and the cost of every work, you have only returned the dates of the chief payments; why did you alter the heading of the return?—I could not have furnished the whole of the dates, in the return of January last, without giving a transcript of the accounts.

2369. My question does not go to the dates; you were called upon to return an account of every payment; you have varied the return, and headed it account only

only of the chief payments?—I apprehended that it would satisfy the House of Commons; if I had been called upon to make any further return, I must have done so.

2369*. What class of payments have you omitted?—I have omitted no payment; though I may have omitted the dates.

2370. In point of fact, it is a return of all the payments?—Yes.

2371. Why did you vary the heading of the return?—The heading is correct: it purports to contain all the payments, and the dates of the chief payments.

2372. Have you ever compared the Treasury analysis, which you have, with the accounts returned to Parliament?—The Treasury analysis, from March 1831 to March 1833, as I have already stated, I had never seen. I never heard before that such analysis had been made. The Treasury analysis, of which I have a copy, from March 1833 to March 1835, I have not compared with the returns to Parliament, because the periods do not correspond: the return is from March 1833 to December 31st, 1835, and the analysis is only from March 1833 to March 1835; and therefore they cannot by any possibility correspond. I think that is an objection; supposing the like were to be done again, I would suggest that future returns to Parliament should always exactly correspond with the period for which the accounts are passed at the Treasury.

2373. Are there no corresponding payments, with corresponding dates?—During the two years, from 12th March 1833 to 12th March 1835, the payment ought to correspond with the Treasury analysis.

2374. Now, in the Parliamentary account, we will take the item of books first; will you state what sum you have returned to Parliament as the expenditure on books in the last return?—Between 1,500 *l.* and 1,600 *l.* In consequence of some objections having been made to the purchase of books, I thought it right to return to Parliament the total amount which had been expended on books from March 1831 to the 31st December 1835. The amount is between 1,500 *l.* and 1,600 *l.*

2375. Is that in the Parliamentary return?—That is in the Parliamentary return.

2376. Will you point it out?—The total cost of books since the issuing of the commission to December 1835, is 1,576 *l.* 13 *s.* 3 *d.*

2377. Mr. *Buller.*] Is that the note to which the letter of yours to the Treasury refers?—There was originally a note on that item.

2378. Mr. *Hawes.*] What amount is charged for books in the Treasury analysis?—I am not aware.

2379. Have you a copy of that analysis?—I have no copy of the analysis from March 1831 to March 1833, and then the other period would not correspond; the sum would be much larger in my return than it is in the Treasury analysis.

2380. Why?—Because it is for nine months longer. I have got the statement of the account here, signed by the secretary to the Treasury, from March 1831 to the 12th March 1833.

2381. Then I am to understand by that answer it does not comprise the total charge for books?—The return does correspond with the first period that I mentioned.

2382. Then within that period what have you returned to Parliament as the expenditure in the books?—These returns to Parliament will appear to be in two parts, if the Committee will look at them.

2383. Give me the total sum?—The total sum nowhere appears in the return to Parliament.

2384. You cannot give me the total sum?—The books for the first year, March 1831 to March 1832, are included in the item, "Miscellaneous transcribing printing, books, deed-boxes for records, stationery, parchment for mending records, postage, porterage, coach-hire, &c. March 1831 to March 1832, 363 *l.* 15 *s.* 10 *d.*"

2385. But, by the Treasury account I hold in my hand, it appears a sum of 803 *l.* 16 *s.* 6 *d.* was expended?—That was from March 1831 to March 1833.

2386. That is a longer period therefore?—The amount expended for books in the first year is not specifically given in the return to Parliament: but for the two years it ought to come to about that sum.

2387. To what sum?—Between 700 *l.* and 800 *l.*; there may be a difference of 20 *l.* or 30 *l.*

2388. Extending the period to the 31st December 1835, do you mean to say that then the sum of 1,596 *l.* here stated in this account is the correct sum?—Since that return was made I have gone through the book called the ledger, (or,

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more properly, the journal,) and the petty cash-book; and I have taken out all the items for books, and I make it come to less than 1,577 *l.*, about 20 *l.* less: but there are one or two doubtful items. I think it was about 20 *l.* under that sum upon the second time of going through it.

2389. Will you furnish the Committee with the sum expended in books from March 1831 to March 1833?—The sum expended in books, from March 1831 to March 1833, I have ascertained in consequence of a report prepared by the Bishop of Llandaff and Mr. Protheroe. It appears, from March 1831 to March 1832, there was expended for books the sum of 145 *l.* 6 *s.* 6 *d.*; that forms part of the item of 363 *l.* 15 *s.* 10 *d.*, which is the last item in that account for that year, the balancing item; that is, from March 1831 to March 1832. For the year from March 1832 to March 1833, the amount from 2nd April 1832 to 16th February 1833, expended for books, was 497 *l.* 6 *s.*, being the precise sum which is mentioned. In the Parliamentary return those sums of money were taken from the ledger. The payments for books entered in the petty cash-book were included in the balancing item for that year of 608 *l.* 13 *s.* 5 *d.* It was not considered at that time that it was requisite, in a return of this description, to be at the labour of going through the petty cash-book, and taking out every 4 *s.* or 5 *s.*, or 1 *l.*, or 2 *l.*, or 3 *l.* paid for books; therefore the 497 *l.* 6 *s.* comprises only the books that were in the ledger; the larger bills for books. The books that were sold, contained in the petty cash-book, from 4th April 1832 to 4th March 1833, come to 55 *l.* 17 *s.* It appears, however, upon going through the accounts for the purpose of the analysis, (for all these accounts have been carefully examined by my accountant within the last fortnight,) that beside the sum of 608 *l.* 13 *s.* 5 *d.*, which is the balancing item, there is a surplus sum of 41 *l.* 15 *s.*, which does not appear to have been accounted for. Upon reference to the ledger, I find that, on the 17th October 1832, there was a sum of 41 *l.* 15 *s.* paid to Dulau for books, and which evidently has been omitted, by mistake, in taking from the ledger the amount of books.

2390. Will you give me the gross sum expended in books from March 1831 to March 1833?—£. 740. 4 *s.* 6 *d.*

2391. Now the Treasury account makes it 803 *l.* 16 *s.*?—They in all probability include some manuscripts, or some transcripts, or freight.

2392. The sums composing the 803 *l.* 16 *s.* in the Treasury account are all given in detail here, and they are almost all of them payments to the booksellers for books; so that they cannot include freight or transcripts?—If I had that and compared it with my own analysis, I dare say I should be able to explain the difference of 30 *l.* or 40 *l.* that there may be. I have already stated to the Committee that the last time I went through these accounts, about a fortnight ago, I made the books come to less than I have made them come to in that last return; I make them come to 1,550 *l.*, and I think I have returned to Parliament 1,570 *l.*

2393. Have you got the Agenda that contains the statement of the accounts?—I have not.

2394. On comparing some of the items in the Agenda with some of the items in the Parliamentary account, I do not find that they correspond; for instance, under the head of "miscellaneous expenditure for the two years 1831 and 1832," I find they amount in gross to 3,091 *l.*; and I find by the Parliamentary returns that they amount in gross to 5,287 *l.*, making a difference of upwards of 2,000 *l.*; can you throw any light upon that discrepancy?—I have no doubt every item of the Agenda is correct to this period. This was in June 1832. To this period the accounts had not been audited, though I had received a large sum of money; and I was desirous of showing to the board that, in fact, the greater part of it, as soon as it reached my hands, was applied in large payments to the King's printers, or to Sir F. Palgrave, and other persons; and that the only sums I had actually to account for were the sums which are included in the last item in each year; the others were payments that were made immediately after the money reached me. I was only desirous of showing that the money did not remain in my hands. It was a voluntary statement of mine, and was not called for by the board.

2395. How soon after you were secretary did you ascertain the debts and liabilities of the commission?—Not for a considerable time.

2396. When you did, will you state the amount?—I should say I have not ascertained the total of the debts and liabilities until a very recent period.

2396*. Will you state the amount of them?—The debts and liabilities of the old commission (including of course the unfinished works, &c.) exceeded 20,000 *l.*

2397. What

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2397. What is the actual amount of the debts and liabilities of the old commission?—In the return made to Parliament, in January last, the amount is stated to be 25,019*l.* 8*s.* 2*d.*

2398. It appears, in the accounts of the commission of June 27th 1831, that the sum of 8,000 *l.* was said to be due?—That was my opinion at that time. It has since turned out that the debts and liabilities (of course in the liabilities I include the expense of unfinished works) it was impossible to ascertain, until those works were completed. The 8,000 *l.* in all probability applies to actual debt, exclusively of liabilities.

2399. You, in consequence of that report, suspended many of the works?—Yes. In consequence of ascertaining that, we suspended the works; but when it was found that Lord Althorp was unwilling to go to Parliament to pay off the debts of the old board, we thought that no other course was open to us, except the course that was pursued by our predecessors, of going on to complete the works, and upon credit. It has been a system of credit for the last 35 years.

2400. It appears that the debts and liabilities of the old commission in March 1831 amounted to a sum of no less than 26,051 *l.*, as it appears by a return made to Parliament, and signed by yourself?—In February last the amount was much more correctly ascertained, than it could have been at any previous time, for most of the works have been completed which had been commenced by the old board; but I fear, from information which I have received within the last few days, it will turn out that a further claim will be made upon the board in respect of the operations of the old board in Scotland, which is not included in that sum of 26,000 *l.*

2401. To what extent?—I have not the least notion; I do not know that such is the fact, but I am inclined to suspect it will so turn out.

2402. Mr. *Buller.*] You state here in the return to Parliament the debts and liabilities of the old commission, which have been discharged by the present, as amounting to 20,364 *l.* 14 *s.* 8 *d.*; in what sense do you use the words "debts and liabilities"?—By debts I mean monies actually due to the King's printer in Scotland, to the King's printers in England, to Sir F. Palgrave, to Mr. Caley, Mr. Lemon, and other persons. By liabilities, I mean the necessity imposed upon the present commission of finishing certain volumes which were in the press at the time when the commission issued, and which were left in an unfinished state by the old board; works that never would have been undertaken by the present board.

2403. Do you not think it was the duty of the board in managing its expenditure, to take into account those liabilities to which it was subjected by the former commission, and as that was expenditure carried on under its authority, that the continuance of that expenditure is one for which it was responsible, and that at any rate it ought not to have undertaken new works whilst so great an expense was being incurred for those which you attribute to the old commission?—The board, through Lord Brougham, made representations in the proper quarter on the amount of the existing debt.

2404. Did the commissioners apply for payment of that debt?—Lord Brougham, I believe, repeatedly applied for payment of that debt, but without success.

2405. So that, in fact, the answer to those repeated applications was a constant refusal?—The answer was a refusal.

2406. Do you think that the board was justified in incurring new debts without any consideration of those liabilities imposed upon them by the undertakings of their predecessors?—That is not a fair way of stating the matter; the board merely continued the system of credit, which had been adopted by its predecessors.

2407. I am speaking of ordering new books, the necessity of finishing, which, you say, was imposed on you by the acts of the previous commission, the old works that went on under the superintendence of the new board, and the necessity of completing them having been imposed by their being commenced by the old board?—It will appear from the proceedings of the board, that for a considerable time the progress of those works was suspended. The progress of some of the Scottish works has been suspended until the present day; but, under all the circumstances, and looking at the system which had been adopted by the old board, and which the Treasury would not enable us in 1831 and 1832 to change, we thought it desirable after that interval to complete the works.

2408. Is the Committee to understand that in the items of debts and liabilities of the old commission, you have included not only debts incurred by the commission,

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mission, but every charge to which you were put by continuing the works of the old commission?—Just so.

2409. Can you tell what proportion what you call liabilities bear to debts in this amount of 20,000 *l.*?—I think that the debts were about two-thirds.

2410. On 27th August 1831 I find an item, "paid Mr. Caley on account for the reparation of the public records, 200 *l.*;" this is about four or five months after the formation of the present commission; am I to understand that that is a debt of the old commission?—I believe that that was an actual debt of the former commissioners.

2411. Work done in their time?—For work done in their time. But I should state that I consider all the payments that were made to Mr. Caley, as part of the liabilities devolved from the old board.

2412. Why do you consider that?—Simply from the circumstance that Mr. Caley had been an officer of the old board. Mr. Caley has never been replaced.

2413. In distinguishing between the expenses incurred by the present commissioners on its own authority and from its own choice, and those which were imposed upon it contrary to its will by the acts of the previous commission, how do you consider that every payment to Mr. Caley was a payment on account of the old commission, Mr. Caley having been continued in the employment of the present board?—My reason for classing these payments with the liabilities of the old board, was a knowledge that if Mr. Caley had not been in the employ of the old board for upwards of 30 years, and in consequence appointed to an office under the new board at its first meeting, no part of that expense would ever have been incurred. It will be found that no person since Mr. Caley's death has been appointed to supply his place.

2414. Subsequent to that date of August 1831 I find various payments to Mr. Caley; they seem generally to be together; here are two items at various times for bookbinders, books for reparation of records. Am I to understand that the reason of your classing these bills, all of which seem to have been paid, and paid at successive intervals, during the existing of the present commission, among the debts and liabilities of the old commission, is the circumstance that Mr. Caley was an officer of the old commission whom the new commission found on its hands?—All these operations were conducted upon the system adopted by Mr. Caley before the present commission issued.

2415. You consider the old commission morally liable for every payment incurred under the authority of the commission by the persons who had formerly been their officers?—I doubt very much whether in strictness some of those payments to Mr. Caley were not payments for debts incurred under the old commission.

2416. How can that be, because I find constantly the same class of items recurring at regular periods of time, as if for similar debts incurred in the intervening time?—I believe they are mostly incurred for work done by the old commission; in strictness I think, as to some of the items, it may be questionable whether I ought to have classed them as debts of the old commission, or as liabilities; but the greater part of them I ought.

2417. Here a Mr. Price's name occurs in the same way?—That was a work of the old board, the Anglo-Saxon laws, and for which we have not a farthing's value to show.

2418. Now here is an item, "paid Mr. Palgrave, June 19th, 1832, a sum of 1,302*l.*," subsequent to a payment in the previous year of 1,588 *l.*?—That was for completing the volume of Parliamentary Writs; that was a liability.

2419. Now "Mr. Petrie, on account of collection of materials for the History of Britain"?—That is a work of the old board, which has been lately suspended.

2420. Sept. 25th, 1833, nearly two years and a half after the formation of the new commission, "paid A. Owen, esq., 250 *l.*"?—That was a work of the old commission. Mr. Owen was appointed to edit the Welsh laws, by Mr. Petrie.

2421. I find, item, "25th September 1833, paid Mr. Caley 1,000*l.*"?—I have already stated the principle.

2421*. The amount seems large?—It is two years' salary.

2422. You reckon Mr. Caley's salary one of the liabilities of the old commission?—I considered Mr. Caley as an incumbrance on the new board; and the reason of these small sums, (I should not perhaps say small sums, they are, altogether, considerable) was that Mr. Cayley had his own system, with which the present board did not much interfere, for he was in a very bad state of health.

2423. Now

2423. Now this item of the board-debts of the old board still unpaid, 4,654 *l.* There are several items, but the total is 4,654 *l.* 13 *s.* 6 *d.*; point me out one single item in that which is debt, according to your definition?—"Remuneration awarded to Mr. Robert Pitcairn, for services performed during several years at the General Register-house, Edinburgh, 700 *l.*"

2424. That appears to be the only item there that can be called a debt of the old commission?—Every one is. I do not see a single one which I do not consider a liability or a debt: I say I think a considerable portion is a debt, because I cannot believe that one of those sums of money for printing were not incurred four or five years ago; but I am not quite certain without referring to the King's printers. National History, printing and paper, 980 *l.* 19 *s.*, I should think that is as far back as 1831; then there is the Fœdera, which was stopped by the present board.

2424*. Has the present board printed nothing of that?—Not a sheet of it.

2425. How came that particular item to be so long unpaid; you have paid other items to the same printers in the interim?—The mode in which the King's printers' bill has always been paid, as will appear from the volume that I have here, was, that the account should be sent in when the work was finished at press; for instance, the first King's printers' bill that I turn to is for the Abbreviatio Placitorum. The printing of that work began in August 1801, the bill was not sent in until September 1811, and it amounted to 1,844 *l.* 14 *s.* 6 *d.*

2426. I think Mr. Caley's salary was authorized by a vote of the new commission?—It was. He received 500 guineas under the old board, and 500 *l.* while he lived under the new board; but a few days before his death the subject of the continuance of that salary was brought before the board; and I recollect the Lord Bishop of Llandaff penned an order, which is in the minutes, but which order was not acted upon in consequence of Mr. Caley's death.

2427. The present state of the debts of the commission then, from this return of the actual debts of the old commission still unpaid, is 4,654 *l.* 13 *s.* 6*d.*, and for actual debts of the present commission, 16,168*l.* 0*s.* 5*d.*?—According to my judgment that is a correct statement. Some persons may consider there are certain items which I have classed with the liabilities of the old board, that perhaps may be considered as belonging to the new board; but in my judgement Mr. Caley, and all the payments connected with Mr. Caley, ought to be considered as belonging to the old board. Some persons may be of a different opinion.

2428. The commission is at present, as far as you know for certain, 20,823 *l.* 13 *s.* 10 *d.* in debt?—Rather more; since that time, of course, the debt has increased between 500 *l.* and 1,000 *l.*

2429. Besides that, there are debts of which you do not know the amount, incurred in Scotland by the old commission, and which the present commission will have to pay?—I only state my apprehension that such may turn out to be the case, in consequence of something that has come to my ears within the last few days: but I may be wrong in this apprehension.

2430. Under the head of liabilities, how much do you reckon as arising out of the employment of Mr. Caley by the new commission?—Probably nearly 3,000 *l.*, including his salary; the other payments made to Mr. Caley were debts actually due at the time when the new commission issued.

2431. Is any balance now due from the commission to yourself?—To myself and the bankers much is due; but I was surprised when looking at Mr. Protheroe's evidence; that, though he is an auditor, he has quite forgotten this. He certified that 4,932 *l.* 4 *s.* 9¾ *d.* was due to me. To the bankers there must be due between 8,000 *l.* and 9,000 *l.*

2432. Is that an advance made by you, or is it an advance made by the bankers, and chargeable with interest?—It is an advance made by the bankers, almost the whole of it; I have seldom been in advance to the board more than 400 *l.* or 500 *l.*

2433. Do the bankers charge interest at four per cent.? are there any charges for interest in any account?—There are charges for interest in this account; and, in the last return to Parliament, you will find a considerable item for interest to the bankers, money due to the bankers and secretary, January 15th, about 8,000 *l.*; I suppose it is about 9,000 *l.* now.

2434. Is there anything owing to yourself?—Yes, on account of advances made to the board. To Christmas there is 400 *l.*; so long as my clerk has got fees in hand, he goes on paying; when he has got no money in hand of course he comes to me. According to the order of the Committee I now produce "Copies, extracted

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extracted from the minutes of the proceedings of the Record Board, of all orders relative to printing, transcribing and publishing works, with the dates when such orders were made."

[*The Witness delivered in a paper.*]

Sir *R. H. Inglis* (a Member of the Committee) delivered in, on the part of Lord Brougham and Vaux, the following Statement from his Lordship in reference to question and answer No. 2153.

Lord Brougham, in consequence of the supposition which is made in question 2153, that he had not read the correspondence, and which is not distinctly contradicted by the answers to that and the following questions, begs leave to state that the supposition is wholly without foundation. He had carefully read the whole of the correspondence, and every paper sent to him, printed as well as written, upon the subject; and he held in his hand the one containing the correspondence, marked by him when he perused it, and with notes upon the back, indicating the pages containing the material passage. He referred to several of these papers in the course of the discussion, and not merely to one letter of Mr. Hardy; and he begs leave to add, that on consulting with several of the other members of the commission, he found that all of those members had made themselves acquainted with the contents of the papers circulated. He is quite certain that no one present at the board expressed the least wish to enter into a discussion of the particulars, further than as some of these were referred to in the preceding debate, and that no one made any objection to the course pursued, and which was not considered as pronouncing any censure upon any party concerned, but merely refusing to appoint one or other of them a sub-commissioner at the time and in the circumstances.

Mercurii, 27° die Aprilis, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	The Right Hon. C. W. Williams Wynn.
Mr. Hawes.	Sir Robert Inglis.
Sir C. Lemon.	Dr. Bowring.

MR. CHARLES BULLER, IN THE CHAIR.

Charles Purton Cooper, Esq., called in; and further Examined.

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SINCE the Committee last met I have had an opportunity of seeing the evidence of Mr. Hewlett and Mr. Illingworth, with no part of which was I previously acquainted; I have also seen the evidence of Mr. Protheroe, with which I was also equally unacquainted, except as to a small part which I happened to hear whilst waiting for the recommencement of my own examination; the Commissioners too, who are not members of this Committee, have also been enabled to become acquainted with the charges brought against themselves and the secretary, and before the inquiry closes I shall have, both on their behalf and on my own, to rebut that part of the testimony adduced, upon which those charges rest. Some of those charges, especially as regards myself, arise out of such a misconception of facts and of accounts, so simple in their nature, and so little likely to give occasion to misconstruction or mistake, that I am quite at a loss to guess how they could ever have been put forward by any gentleman, however moderately versed in business of any description; and I shall have but very little trouble in producing documents that will show upon what a rotten basis they are upheld. There is some other evidence (I allude to that of Mr. Hewlett) which will not admit of quite the same kind of answer; but I shall be able to show that what that gentleman has said respecting indexes to certain records, and the inconvenience arising from a want of them, applies to a state of things which has now ceased to exist, and that such an arrangement of records as he has thought fit to make the subject of encomium in the Augmentation Office cannot be effected except by the deterioration, and I may say the destruction, of a great part of the records themselves; upon these topics I trust I shall be allowed to enter by-and-by. At present I propose, by the indulgence of the Committee, to make a short statement on the subject of the fees in the principal offices, with the view of showing them to be in general moderate. In many instances it will be found that the principal inconvenience is occasioned from the small

small yearly amount of them, which prevents the officers from regularly attending at the repositories, so that searches cannot always be made when parties desire it. This it is obvious can only be remedied by the appointment of keepers with adequate salaries. In two only of the Record Offices which I am about to enumerate, do the keepers receive salaries from the public treasury.

I will begin with the CHAPTER HOUSE. The fees in this office were not inquired into by the Fee Commissioners, but they came under the consideration of the committee of the commissioners appointed in pursuance of a letter from the Lords of the Treasury to consider of the establishment necessary to assist Sir F. Palgrave in the proper execution of his office as keeper of the records at the Chapter House. Mr. Williams Wynn was a member of that committee, and I believe drew up the report. The committee stated that they saw no reason to recommend any alteration in the fees. The fees are as follows :—

	£.	s.	d.
For every Search in Domesday	–	6	8
For Copies of Domesday, for each line	–	–	4
For a Search in any other Record	–	8	4
For Copies of all Records except Domesday, for every sheet of seventy-two words	–	1	–
For the examination and certifying of such Copy	–	2	–

The amount of fees for the year 1831, was 84 *l.* 12 *s.* 4 *d.*, but the amount now is less. There is no charge made for searches made or copies taken for historical and literary purposes.

In the Record Office at the TOWER the Fees are :	£.	s.	d.
For every Search, the time (the reign) being known	–	10	–
Copies per folio	–	1	–
For taking down each Record and the inspection or reading of the same, which is deducted if a Copy of such Record be ordered	–	6	8
For examining and signing each Copy of a Record	–	2	–
For examining a Copy of a Record made in the Office, besides the search for each Brief Sheet	–	1	–
For re-examining any Copy of Chancery Proceedings made in the Office, each Chancery folio	–	1	–
For every Record carried out of the Office to be produced in either House of Parliament	1	1	–

These are the fees recommended to be taken by the Report of the Commissioners on the Duties, Salaries and Emoluments of the Officers of the Court of Chancery, made in the year 1816. In this office every facility is given to historians, antiquarians, topographers and genealogists, who are allowed to pursue their investigations without payment of any fees.

In the ROLLS' CHAPEL Record Office I will give a Table of the Fees taken in 1816, and those recommended to be taken by the Fee Commissioners.

FEES TAKEN.	£.	s.	d.	FEES RECOMMENDED TO BE ALLOWED.	£.	s.	d.
Taking down every Roll	–	2	6	– – –	–	2	6
Taking out a Record from any bundle for inspection	–	6	8	– – –	–	6	8
Copy of all Records in the Chapel of the Rolls for every seventy-two words	–	1	3	Every sheet containing fifteen lines and six words in each line, viz. ninety words	–	1	3
Every Skin exemplified, including 6 *s.* 8 *d.* to the Master of the Rolls for such exemplification – Each skin to be sixteen sheets, each sheet puted at ninety words.	1	6	8	– – –	1	6	8
Every Cancellation, including 6 *s.* 8 *d.* to the Master of the Rolls	–	10	–	– – –	–	10	–
Re-examination of every Copy written out of the Records in the Rolls, every seventy-two words	–	–	3	Each ninety words	–	–	3
Clerk's hand to each Copy	–	2	–	– – –	–	2	–
Attendance with every Record out of the Rolls by order	1	1	–	– –	1	1	–

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Mr. Kipling, the late keeper of the Records at the Rolls' Chapel, stated in a return to Parliament, that he had generally thought it right to allow gratuitous access to the records to gentlemen of the profession of the law, and others desirous of consulting the records for their assistance in their studies; and also to others who appeared to him to be engaged in useful publications. The Committee will observe that the Fee Commissioners thought the fee of 1 *l.* 1 *s.* for every record when out of the Tower and the Rolls Chapel to be produced in evidence, was a reasonable fee; and the Lord Chancellor has adopted their opinion. A century ago, in the time of Lord Hardwicke, the fee was 1 *l.*

In the KING'S REMEMBRANCER'S OFFICE, the following is a Table of the several fees demanded by the First and Second Secondaries, and the Sworn and Side Clerks, for searches and copies of records.

By the FIRST and SECOND SECONDARIES:	£.	s.	d.
For every Search in the ancient Books and Documents in their custody -	–	13	4
For every Extract, not less than - - - - - - - - - -	–	6	8
For a Copy from any ancient Book, Document or Record, per folio of seventy-eight words, if anterior to the Restoration - - - - -	–	1	6

By the SWORN and SIDE CLERKS:	£.	s.	d.
For every Search for a Record at Westminster, 6 *s.* 8 *d.*, or, according to the time occupied in such search, per hour - - - - - - -	–	6	8
For every Search in the Office Books, per term - - - - - -	–	–	4
For every Extract from an ancient Book or Document, not less than -	–	6	8
For Copies of all Records anterior to the Restoration, per folio - -	–	1	6
For Copies of all Latin Records subsequent to the Restoration, per folio -	–	1	–
For Copies of all English Records subsequent to the Restoration, per folio - - - - - - - - - - - - - - - -	–	–	8

No complaints have ever been made touching these fees. The Fee Commissioners, in 1822, recommended that parties should be at liberty to take copies of such parts of records as they might desire, without being compelled to take copies of the whole.

In the late LORD TREASURER'S REMEMBRANCER'S OFFICE, the several fees following are taken for each search, certificated copy or attendance, with a record.

The SECONDARY or SWORN CLERK:	£.	s.	d.
For every Search - - - - - - - - - - - - - -	–	6	8
For every Copy, per folio, containing seventy-two words - - - - -	–	1	4
For examining, and for his Certificate of the correctness of a Copy - -	–	6	8
For every Attendance with a Record - - - - - - -	1	–	–

For the BAGMAN:			
For every Search when made in the Record-room - - - - -	–	1	–
For every Record brought from the Record-room to be copied - - -	–	2	6

The total amount of all fees, emoluments and perquisites received by the secondaries and sworn clerks for searches and office-copies of records, for the year, 1831, was about 43 *l.*

Under the Act 3 & 4 Will. IV. c. 99, the Barons of the Exchequer and the Lords Commissioners of the Treasury, have power to direct the fees to be taken for searches and copies of records in this and other Exchequer Offices thereby abolished. Their Lordships have made no alterations in the ancient fees, nor does any alteration seem requisite. When persons have resorted to these records for historical information, or for matters of curious research, the sworn clerks have, of their own discretion, permitted copies or extracts to be taken without fee. In pursuance of the recommendation of the Fee Commissioners, parties are permitted, in all cases, to have an extract from a record without taking a copy of the whole, and the same fee is taken for each sheet of an extract as for each sheet of a copy.

In the late PIPE OFFICE, by a table of fees, made out in pursuance of an address of the House of Commons, dated January 28th, 1715, a fee of ten shillings is allowed on each search if the rolls were at Westminster; but since the records have been in their present situation, that fee has been reduced to six shillings and eight-pence to the attorney, and two shillings and sixpence is the fee

fee to the bag-bearer on a single roll, brought up into the office for the purpose of a search; but when several are brought up for the same search for literary purposes, the fees are reduced. In the same table of fees, a small fee of one shilling and four-pence is allowed for a search, if the roll happened to be already in the office, and eight-pence per folio for the copy. From time immemorial, 1*s.* 4*d.* per folio has been received for copies of the ancient rolls; and for the attendance of a sworn clerk, on the production of the record in court, one guinea. If more than one record be produced, a fee of two guineas a day is required. When the table of fees was made out, there were no salaries paid by the public in respect of these records. The total amount of fees received by the sworn officers of the Pipe Office, for searches and office-copies of ancient records, and for attending with the Great Rolls at the House of Lords, for the year 1831, was less than 100*l.* The bag-bearer also received about 38*l.* This office of clerk of the Pipe was abolished by the Act of 3 & 4 Will. IV. c. 99; and the records belonging to it have been transferred to the King's Remembrancer's department. The Barons of the Exchequer and the Lords of the Treasury have seen to occasion to vary the fees for searches and copies.

In the Augmentation Office, the following Table will show the old fees, and those approved of by the Fee Commissioners of 1822.

Fees taken:	£.	s.	d.
Search, not less than 8*s.* 8*d.*, more according to time and trouble, but not exceeding 1*l.* 1*s.* for any search on one day, usually	–	13	4
Copy or extract from any record, excepting the Parliamentary surveys made in or about the year 1649, per folio of 72 words, figures being reckoned as words	–	1	6
Copy or extract from any of the Parliamentary surveys made in or about the year 1649, per sheet, containing four folios	–	6	8
Examining or re-examining and signing any copy to be produced in evidence, if short, viz. containing less than 60 or 80 folios	–	2	–
If about such length or upwards, but not containing 120 folios	–	6	8
If containing 120 folios or more	–	13	4
Attendance, with a record or records, in the Court of Exchequer, per day	1	1	–

Fees recommended to be allowed:	£.	s.	d.
Search, if occupying less than one hour	–	8	8
One hour or more, not exceeding three	–	13	4
If exceeding three	1	1	–
Search, occupying more than one whole day, to be considered as a separate search on a succeeding day.			
Copy or extract from any record, if not exceeding two folios of 72 words, each	–	3	–
If exceeding two folios, for each folio	–	1	6
Figures in each case to be reckoned as words at length would express them.			
Examining or re-examining and signing any copy required to be produced in evidence, 80 folios or under	–	2	–
Each ten folios beyond 80	–	–	8
Ditto	1	1	–

The total amount of fees in this office, from April 1834 to Christmas 1835, was under 60*l.* Learned persons engaged in works of public utility are permitted to consult the records, and make extracts from them, without fee.

The Fee Commissioners recommended that parties should be permitted to have extracts from records without being obliged to take a copy of the whole. The fees for searches, copies, and extracts, in this office, may be now considered as subject to the regulation of the Court of Exchequer and the Lords Commissioners of the Treasury, under a clause in the Act above cited. I have more than once in the course of this examination stated, that it is the opinion of Lord Abinger that this Act gives to the King's Remembrancer the custody of the records, as belonging to an office thereby virtually abolished.

The foregoing information respecting the fees for searches and copies in the Chapter House, the Tower, the Rolls Chapel, the King's Remembrancer's Office, the Lord Treasurer's Remembrancer's Office, the Pipe Office and the Augmentation Office, I beg leave to say has not been procured for the present occasion. The Commissioners called for it four years ago. The whole of it, and many other particulars upon the same head of inquiry, will be found in the printed volume of the Proceedings of the Board, of which it occupies between fifty and sixty pages; and the same, it is apprehended, abundantly make out that, whilst the unremitting exertions of the board were directed to the grand scheme for a general repository on the site of the Rolls' estate, and for a re-modelling

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of the whole system, by assigning salaries to the officers, there was no sufficient reason for proposing any separate measure relative to the fees, even supposing such measure could have been executed; which, with the existing offices and with unpaid keepers, it is manifest could not have been.

2435. *Chairman.*] Who are these Fee Commissioners of whom you speak here?—I fully described them in a former part of my examination.

2436. Just repeat it, in order to make this intelligible?—The Fee Commissioners were appointed in the year 1815, to make inquiry into the fees payable in courts of justice; and they reported upon the fees that ought to be paid for searches and copies of records.

2437. And these are their recommendations?—Their reports are exceedingly voluminous: but these are portions of their reports, or rather these are extracts from those portions which relate to the principal record offices.

2438. You state then that the arrangement of the records at the Augmentation Office which Mr. Hewlett has thought fit to make the subject of encomium, cannot be effected "except with the deterioration, and I may say the destruction of a great part of the records themselves?"—Upon that subject I have had a great deal of conversation with persons practically conversant with records; and I am convinced that what is called a topographical arrangement, can only be effected by taking the records to pieces. A roll, in general, relates to various manors situated in various counties, and no topographical arrangement can be effected, except by dividing the roll into different parts. Whether it was the intention of Mr. Cole to effect a topographical arrangement in that way, I am ignorant: but I certainly have been very much astonished within the last fortnight to find (for I was not aware of it before) that he has been so imprudent as to take ministers' accounts to pieces, and divide them into separate parts; it being notorious to every one acquainted with records, that such a process must destroy their validity, because each minister's account has a heading and a signature. The consequence therefore must be, that the intermediate parts, the parts between the first and the last part, would be without heading and without signature, and therefore of no validity whatever as records.

2439. How long has that arrangement been going on?—This is the topographical arrangement of which Mr. Cole spoke, I presume.

2440. This is an arrangement which, I suppose, has been going on for some years in the office which was intrusted to your especial care?—No; it will be found, on referring to a former part of my examination, that I have stated, my belief that very little change has been made in the arrangement of the records.

2441. But you stated in your former examination, that you considered yourself responsible for the arrangements of the Augmentation Office?—Certainly.

2442. During a period then of two years, this mischievous arrangement, ending in the deterioration and destruction of the records, has been going on under your superintendence?—I think that is putting the case more strongly than anything which I have said can warrant. I am not aware that, except in some few instances, the records have been taken to pieces.

2443. In how many instances do you suppose?—I have seen two or three instances.

2444. What instances are they? Will you have the goodness to tell the Committee?—They are some of the ministers' accounts; Mr. Allen, one of the commissioners, inspected with me the ministers' accounts, which have been so taken to pieces.

2445. Mr. *Hawes.*] When did this occur?—Within the last fortnight.

2446. You were not aware of that before?—No.

2447. Was there not a committee appointed in 1832 to inquire into the duties of the several officers, clerks, and others having the care of records?—There was a proposal to appoint such a committee.

2448. Was not a committee actually appointed in 1832?—There was no committee appointed which had any duties so extensive as those.

2449. Was there not a committee to inquire into the duties of the several officers, and also to report what reforms, alterations and amendments might be made for the preservation and more convenient use of the records?—I have stated on a former occasion that there was a proposal at the board to appoint such a committee; but for the reasons which I have stated in a former part of my examination, that committee was never appointed.

2450. Is it not so entered in the minute book of the Record Commission that it was so appitd?—No one.

2451. Will you produce the minute book?—I have it not here; the next time I attend, I will bring the minute book.

2452. Your own evidence has gone to show that a committee was not only appointed but worked, but made no report?—(No answer.)

2453. *Chairman.*] Did not Mr. Hallam and Mr. Petit visit the Augmentation Office?—They did.

2454. Did they not write a report upon it?—They made a short report.

2455. Did they not in that report express their approbation of the arrangement?—They expressed their approbation of what they saw going on at the Augmentation Office, but they could not be aware that any of the rolls had been taken to pieces.

2456. Then these two commissioners have been expressing their approbation of a mode of procedure which utterly destroys the value of the records?—It is not fair to state that as the "mode of procedure," which has been discovered to have been done in only two or three instances.

2457. But you stated it first to the committee, this was a necessary consequence of Mr. Cole's topographical arrangement; you did not state it as a matter which had occurred only in one or two cases, but as a necessary incident?—Mr. Hewlett has recommended a topographical arrangement of the records; but I think it will be seen, from his own evidence, that he does not consider that a topographical arrangement can be carried on to a great extent. I have myself stated, in a former part of my examination, that there has been very little change, in my apprehension, in the arrangement; and I give this as the reason why I think the arrangement that has been proposed by Mr. Cole could not be carried into effect. I know that such is the opinion of persons who are more conversant with the nature of records than I am

2458. Can you take upon yourself to state to the committee that in this instance of the minister's accounts, the separation was made with regard to the topographical arrangement?—I am not aware that it was.

2459. Then it seems to me your statement is no answer to Mr. Hewlett's encomiums; but it merely points out one or two errors made by Mr. Cole, which he might have made if this principle of arrangement had been the best possible?—No, Mr. Hewlett recommends the topographical arrangement; which, in my opinion, cannot be fully effected without the destruction of the records.

2460. But the instances you mentioned can hardly be corroboratory of your opinion, inasmuch as you say you do not know whether this particular separation was caused by a topographical arrangement or not?—No, my statement is this, that in those instances, in order to effect the topographical arrangement, the roll must be divided into counties.

2461. Was it so in this instance?—It was divided into counties.

2462. And that was the cause of the separation of which you complain?—I do not know whether that was or not the motive with which Mr. Cole had separated the membranes; whatever was the motive it was an erroneous one, because it destroyed the validity of the record.

2463. The motive must be perfectly obvious, if they are classified topographically; the desire of a topographical arrangement appears the only motive possible for a separation?—Mr. Cole will best be able to answer that question. A topographical arrangement of the main bulk of the records cannot be effected without taking them to pieces.

2464. Mr. *Hawes.*] Was there not a minute similar to that which you have alluded to, appointing a committee, made in the year 1831, if not in the year 1832?—No committee was appointed; there was only a proposal to appoint a committee. If you refer to the questions which you yourself put to me upon the former occasion, you will find that they were confined to the proposal.

2465. Were there not minute inquiries ordered to be made under the minute of the board of the 20th of May 1831?—Upon what subjects?

2466. To inquire "into the fees of the several officers, clerks, &c., having the care and custody of records, &c.?"—That was to be the object of the committee, but the committee was not appointed.

2467. Were not those inquiries continued by another minute and representation made on the 30th of June 1832?—I think you must be alluding merely to the circular questions which were addressed to the different officers.

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2468. But still it is to be considered as an inquiry specially ordered by the board?—The circular questions which have been mentioned on former occasions were directed to be sent in the year 1831 to certain of the principal officers; and I think, as you now mention, similar questions were ordered afterward to be sent generally to all the record offices throughout England and Wales.

2469. Now the Augmentation Office is especially under your own immediate superintendence?—It was not at that period.

2470. But it has been subsequently?—The Augmentation Office, from the time of Mr. Caley's death, in the spring of 1834, down to December last, was in the possession of the board.

2471. That is to say, was more especially under your care and superintendence?—Certainly, as secretary to the board.

2471*. But it was more under your special superintendence?—As secretary to the board.

2472. Have you not also stated to the committee that you considered yourself responsible for Mr. Cole's correct performance of his duties?—I did, certainly.

2473. And now, then, how does it happen that Mr. Cole was allowed to do what actually destroyed the records?—I was not at all aware of it till within the last fortnight, or I should have put a stop to it; nor was I aware till yesterday that Mr. Cole—(much as has been said against Mr. Caley taking records home to his own house)—I was not aware till yesterday, that Mr. Cole has himself taken the records bound in books to his own lodgings.

2474. Have there been no small items charged in the account for the porterage of these identical records?—Not that I am aware of.

2475. But you are aware of all the items that are paid, I suppose, for the mere expenses of the commission?—All the expenses in the Augmentation Office have been paid on written orders or certificates of Mr. Cole, as far as I recollect; the workmen's wages, the binders' bills, and all small expenses have been paid in pursuance of such written orders.

2476. Were any volumes allowed to be taken home by the commission for any purpose?—I have not the slightest recollection of allowing any thing of that kind; on the contrary, Mr. Cole has repeatedly represented to me the impropriety of the King's Remembrancer's officers being allowed to carry the records home to their houses.

2477. But no application has ever been made to you for permission take to home the records for some special purpose?—Not that I recollect. I believe that in other record offices there are instances of records having occasionally been taken home, and I think it is likely that, if an application had been made to me for a special purpose. it might have been granted; but still I was not aware that, generally speaking, Mr. Cole was in the habit of taking bound records home. It will be found, in most of the offices that, occasionally and under special circumstances, a record is allowed to go out of the office, as at present records are allowed to go out of the Chapter House to be bound. I should have allowed any of the records in the Augmentation Office to go out for such a purpose, under Mr. Cole's direction. The information that I have received is a written statement from Mr. Charles Gay, relative to Mr. Cole's habit of taking bound records home to his own house. It appears that Mr. Charles Gay remonstrated against taking them.

2478. Have you made inquiry whether there is any further destruction going on to your knowledge since the fact came to your knowledge about Mr. Cole?—Mr. Charles Gay has stated to me that he repeatedly represented to Mr. Cole the impropriety of taking these records to pieces; and certainly since Mr. Cole left, no record has been taken to pieces. Those which had been taken to pieces were examined by Mr. Allen, Mr. Hunter, Mr. Adlington and myself, and we all agreed that in fact it was a destruction of the records, *qua* records; I think it was an error in judgement on the part of Mr. Cole; I have no doubt he did it with a good motive, he thought it more convenient to consult the records in that way; any body else might have done the same thing. I beg to be understood as not making any charge against Mr. Cole whatever, I think any body else might have committed the same error; I mention this as a reason why I dissent from Mr. Hewlett's argument.

2479. *Chairman.*] It appears to me the charge you are making is a charge against yourself, because you stated in your returns to Parliament, and you stated to the Committee, that you were responsible for Mr. Cole's correct performance of the

the duty, and that he was doing those things under your superintendence?—I do not shrink from any responsibility of that sort. If clerks or persons in my employ have done any thing wrong, of course the responsibility rests with the principal.

2480. In answer to a question of mine in an early portion of the evidence, in which I stated that Mr. Cole might have arranged them anyhow for any control you had over him, you say, "Yes, he might possibly have adopted a very bad plan, and I should not have discovered it, but it is not likely the public service would have received any injury of this kind, as I have been in the habit of communicating from time to time with different persons who had access to the office for literary and legal purposes, and who were much more capable than myself of judging of the merits or the defects of Mr. Cole's operations." In spite, however, of this habit of yours, of communicating with these competent judges who had access to the office, it appears Mr. Cole has been committing great errors in the arrangement?—I should say that what has recently happened fully proves the truth of what I have stated. Communications have come to me from gentlemen who have had occasion to inspect those records for legal purposes, and who found that the membranes were separated; and I feel convinced that this separation has taken place quite at a recent period. I think the instance which has now occurred fully proves the truth of that.

2481. At what period?—I cannot tell without putting the question to Mr. Gay; but it must have been all since the Fire.

2482. You then go on to state in answer to the question, "all such persons as I have spoken to upon the subject express their approbation of Mr. Cole's mode of proceeding." Was that the case up to the time when you gave your evidence?—Yes, decidedly so.

2483. It appears then no fault had been found with Mr. Cole's mode of proceeding up to that period?—None whatever.

2484. And you have discovered these defects in his proceeding merely since the institution of the committee?—I have discovered them within the last fortnight; I do not bring them as charges against Mr. Cole.

2485. You say they were discovered by gentlemen of legal research?—By Mr. Grimaldi and Mr. Charles Devon.

2486. Now, will you undertake to say that the separation of these ministers' accounts was not absolutely necessary for their preservation?—Most undoubtedly it was not; I have inspected the roll myself.

2487. Will you undertake to say that the parts separated had any connexion whatever with each other?—I will; the heading applies to the whole of the roll, and the signature to the whole of the roll which precedes it.

2488. Do you mean that two portions are respectively deprived of the value which they would have in courts of law from the heading and the signature?—I mean that, if an office-copy is required for legal evidence of any portion of that roll, the heading is a necessary part, and, generally speaking, the signature is also required.

2489. Now, as you have given us a very specific instance, perhaps you will have the goodness to tell the Committee the heading of the roll?—I cannot tell that.

2490. Can you get it for us?—Yes.

2491. At the next meeting of the Committee?—Yes, the heading and the signature.

2492. You stated, the last time you were examined, a division between the debts and liabilities of the old commission; now, would you have the goodness to tell me, with regard to those articles which I have classed under the head of liabilities, whether you think that any portion of them ought to be classed under the head of debts of the old commission, taking the distinction which you made last time between debts and liabilities; the Inquisitions post mortem, the Chancery Proceedings, the 6th volume of Valor Ecclesiasticus,—stop me at any one which you consider a debt and not a liability?—With regard to all those, you find them mentioned in the King's printers' bills.

2493. No, they are separate from the King's printers' bills?—If you mean the expenses subsequently incurred on them, they are liabilities.

2494. Then I will go on till you stop me. Fœdera, volume 4; Parliamentary Writs, volume 2; Duchy of Lancaster, National Historians, Palmer at the Rolls?—That must come out. The sum was actually due in March 1831.

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2495. Frederick Devon, Fœdera?—That is a debt too.

2496. Minchin and William Hardy?—Mr. Minchin's is a debt; Mr. William Hardy's is a liability.

2497. Lemon for Fœdera?—That was a debt; you will find, by the printed return, the distinction made in all cases.

2498. Now, here are two bills of Roworth?—Those bills are under the new commission.

2499. Then why have you put that amongst the debts and liabilities of the old in your last return?—These are liabilities; they are bills for reports upon the Chancery Calendars and the Parliamentary Writs, and upon Mr. Pitcairn's cases, both of which were claims of the old board. Mr. Bailey claimed a very large amount, and Mr. Pitcairn claimed to a large amount. The committee was appointed for the purpose stated upon a former occasion, to consider the claim of Mr. Bailey, and disallowed his claim to the amount of many hundred pounds. Mr. P. made a claim; Lord Canterbury was chairman of the committee, as I stated, I believe, on a former occasion, and his claim to the amount of 700*l.* was allowed: it was made in respect of the Scottish transactions of the old board, and therefore I have considered that the reports which were printed respecting this claim were the liabilities of the old board.

2500. How do you call Sir Francis Palgrave's second year's payment of 1,302*l.* a liability of the old board?—Because it was entirely incurred in respect of the Parliamentary Writs.

2501. The "National Historians" the same?—The "National Historians," you are aware, is not even a work of the old board; it is placed under the direction of the board by a distinct authority.

2502. Then why do you call that a liability of the old board?—The work was commenced under the direction of the old board; the first volume was incomplete in March 1831, and still is incomplete.

2503. Now, here is an index by Mr. Cox?—That was a debt of the old board; Mr. Caley authorized Mr. Cox to prepare that index, and it has been completed and paid for. I think it was Mr. Cole who discovered that the index had been made, and upon whose advice I paid for it. There were two copies; one was deposited in the British Museum, and I believe the other is in the Augmentation Office.

2504. Now here is Mr. Hodgson at the Tower in 1832. It is not a large item?—I do not remember that item.

2505. Is that not Mr. Hardy's claim?—I think not; certainly not; I cannot tell what that payment is.

2506. "Bailey at the Tower?"—That was a debt of the old board in respect of the Calendar of Chancery Proceedings.

2507. How came it to be paid at the period at which it was, then the 17th of August 1832?—Mr. Bailey had made claims upon the board to a very large amount, and by a special order of the board I was authorized to pay the sum of 150*l.* in respect of those claims; the whole debt was a debt of the old board.

2508. Now, according to this, it would appear that the actual debts amounted to about 14,000*l.* and odd, the liabilities to 10,000*l.* and odd?—I think it will be found that the debts were between 15,000*l.* and 16,000*l.*, and that the rest was composed of the liabilities: but it is possible that your calculation may be wrong.

2509. Fourteen thousand five hundred pounds to sixteen thousand pounds and odd. Then separating liabilities from debts, you started with a debt of between 14,000*l.* and 16,000*l.*; about that?—About that amount of actual debts.

2510. Mr. *Hawes.*] When was that ascertained?—Not until some time after March 1831.

2511. *Chairman.*] Now, in the letter to Mr. Thomson, you say the debt is nearly liquidated; you seem to have thought the debt was nearly liquidated?—A considerable portion of the debt was liquidated soon after the commission issued; but it afterward turned out there were other bills of the King's printers to a large amount, not because they were in the habit of sending in their bills till a work was completed; and it will be seen that in the second year I paid to the King's printers on account the sum of 4,250*l.* in respect of those bills.

2512. Mr. *Hawes.*] Is that returned in the Parliamentary return?—You will find that in the return made to Parliament in December 1833, the sum of 4,250*l.* is mentioned as having been paid to the King's printers in the year beginning March1832, and ending March 1833.

2513. Have

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2513. Have you the return there to refer to?—At page 5 it is stated that the whole of this sum was due from the old commission; the actual amount of the bill was 4,250*l.*

2514. And that was actually paid by the commission and not by the Treasury?—Actually paid by the commission. It was only the first year in which the Treasury paid the King's printers' bills for England and Scotland: subsequently the whole grant has been received by myself, and the King's printers' bills in England have been paid by me.

2515. How did you get the items if you did not pay the bills yourself; how did you get the items charged in the account presented to Parliament?—Having only received the balance, and the Parliamentary grant having been 10,500*l.*, I made the following entry in what is called the Ledger:—"Note, the King's printers' bill for England, to March 1831, was 3,639*l.* 16*s.* 7*d.*, of which 710*l.* 2*s.* 9*d.* had been paid on account, leaving a balance of 2,929*l.* 13*s.* 10*d.* The King's printers' bill for Scotland to Christmas 1830 was 1,031*l.* 14*s.* The above two sums were paid by the Treasury, and deducted from the Parliamentary grant (10,500*l.*,) so that the Secretary received only this sum of 6,538*l.* 12*s.* 2*d.*" These sums, added together, make the total of 10,500*l.*, the amount of the Parliamentary grant. I presume that, when I caused this entry to be made in the ledger, I must have learnt the facts at the Treasury, or from Messrs. Eyre and Spottiswood.

2516. In the Return to the Order of the House of Commons, dated 5th February 1836, for a copy of the account for the years 1830, 1831 and 1832, there is a sum of 3,639*l.* 10*s.* 7*d.* which was paid as certified by Mr. Caley the 4th March 1831; have you any account of that; I only ask whether you have any account of that at all in the books?—Yes, that appears to be the sum which was due to the King's printers in March 1831, and of which they had received, according to the note which I now read from my ledger, the sum of 710*l.* 2*s.* 9*d.*, leaving a balance of 2,929*l.* 13*s.* 10*d.*, which is mentioned in the printed return.

2517. Then that is the sum, in point of fact, which was paid out of the sum of 10,500*l.*?—That is the sum of 2,929*l.* 13*s.* 10*d.* which was paid out of the 10,500*l.* It appears from this note that I must have had the information from the Treasury that the King's printers had previously received a sum of 710*l.* 2*s.* 9*d.*, making the sum which you have mentioned.

2518. *Chairman.*] Deducting the liabilities from the debts of the old commission, it would appear you have paid about 15,000*l.* of the debts of the old commission, and 4,654*l.* are still unpaid?—But we have paid a portion of the liabilities of the old commission.

2519. I do not include liabilities; I am now confining myself to actual debts?—The sum of 4,654*l.* 13*s.* 6*d.* includes both debts and liabilities.

2520. Can you distinguish the liabilities from the debts; they are not very numerous?—Some portion of the King's printers' bills for the Valor Ecclesiasticus, the Fœdera, the National Historians, the Parliamentary Writs, the Calendar of Records in the Duchy of Lancaster Office, but the 700*l.* paid to Mr. Pitcairn I conceive to be a debt from the old commission, and of which we paid nothing till December 1834, when he made his claim. There is the Fœdera but a small sum; that I believe was a debt. I am inclined to think that the other work performed by the King's printers was subsequent to the issuing of the commission, but I will refer to their bill and see that; I think most of it was liability. The National Historians of course I cannot consider either as a debt or liability, strictly speaking, under the commission; that was done in pursuance of a separate Order of the House of Commons. I ought to take this opportunity of stating, that since I was last here I have seen Mr. Thomson of Edinburgh, and there is a small balance due to the King's printers in Scotland for work done under the old board; and Mr. Thomson has stated to me that he makes no claim against the board in respect of his proceedings since June 1831, but there would be about a quarter's salary due from March to June 1831, when his proceedings were suspended.

2521. It would appear then, that of actual debts of the old commission, about 15,000*l.* has been paid by the present commission, and about 700*l.* or 800*l.* is still unpaid?—Of actual debt, exclusive of liabilities.

2522. The amount of actual debts and liabilities which you have given in which you distinguish from the debts of the old board, and therefore would be more properly headed debts and liabilities of the new commission, amounts to 16,168*l.*?—

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Just so. In the abstract from papers sent by me to the Lords Commissioners of the Treasury in January last, it is stated that the amount of the present debts and liabilities of the new board is 16,168*l.* 0*s.* 5*d.*

2523. Now, it does not appear to me that there is a single item in that list of actual debt and liabilities which, according to your division of debts and liabilities, would come under the head of liabilities; if there are any, will you have the goodness to point them out?—No; those are all debts.

2524. It would appear that you have paid off of actual debt about 15,000*l.*, that you have incurred of actual debt about 16,000*l.*?—I think there is about the same amount; there is not a great deal of difference either way.

2525. In addition to these, under the head of liabilities of the old board, which I should class as debts of the new commission, there is nearly 4,000*l.*, that is deducting those items which you mentioned?—I think according to my estimate, the liabilities of the old board would come to about 10,000*l.*

2526. I do not mean the liabilities which you have paid, but the liabilities still subsisting?—The debts and liabilities of the old board still subsisting.

2527. I want to distinguish debts from liabilities?—The debt of the old commission still subsisting is 4,654*l.* 13*s.* 6*d.*

2528. I should say out of those the liabilities amount to 3,900*l.*?—Just about that, exclusively of the Fœdera.

2529. Taking the actual debt which you have stated as incurred by the new board, and adding to it the debt which you have incurred under liabilities of the old board, that is, for works commenced under the old board, but carried on and completed by the new board, classing those as additional debts incurred by the present commission, you have incurred a debt of more than 20,000*l.*, while you have paid off old actual debts of about 15,000*l.* or 16,000*l.*?—If you include the liabilities of the old board which have been discharged by the new board.

2530. No; I throw out those which have been discharged?—The committee must bear in mind that the funds which have been placed at the disposal of the present commission are much smaller than the funds which were at the disposal of the former commission; we have never received more than 10,500*l.*, and in one year we received only 8,000*l.* It will be found that in the very year preceding the issuing of this commission, the former commission received upwards of 14,000*l.*; besides owing the very large debt which I have mentioned.

2531. Taking the five years which your commission has been in existence, has not the average receipt of the five years been as large as the average receipt of the five years before?—Certainly not: I will give the average in my evidence. I have got from the King's printers copies of all their bills; and, having copies of their bills and of the Treasury warrants, I can give that information to the committee.

2532. Now, did you not understand when the money was first granted, that it was intended you should pay the debts of the old commission, and that was part of the purpose for which the money was given?—If the whole of the 10,500*l.* had been appropriated to the payment of debts of the old commission, the consequence would have been, that the present commission would not have had a farthing to carry on its operations.

2533. That is for the two first years?—Yes, and many of the operations are such as require a daily expenditure.

2534. Now, is it not a fact that you discharged the greater part of the debt of the former commission in the two first years?—The return to Parliament will show what portion of the debt of the first commission was discharged in the first four years; by so doing we necessarily incurred another debt for carrying on our own operations.

2535. In a letter of yours, dated July 1832, a printed letter, you state that nearly all the works of the board have been suspended for the last twelve months, in order to enable us to discharge the immense debt left by the former commission, and this is now almost accomplished; of course when you said it was almost accomplished, that arose from misinformation?—That alluded to the actual debt. It was then thought expedient to make the experiment at what cost certain works of a description different from those which were published by the former boards could be produced. The commissioners determined at that period to commence some of the works which have been since published, to ascertain the cost at which they could be produced, and after they had shown to Parliament at what cost those works could be produced; they resolved not to take any further proceedings until they should be exonerated from the debt. The letter, which

I addressed

addressed to the Treasury when the last estimates were sent in, will show that such was the intention of the board. In that letter, the commissioners give the reason why they commenced the new works, though they necessarily by so doing incurred a new debt; and they state to the Lords of the Treasury that, consistently with their public duties, they did not conceive they could continue the system which had been adopted for the last thirty years, a system by which they were only able to carry on the duties which devolved upon them by the Royal Commission, upon loans obtained either from the King's printers or from the banking house. That letter fully shows the views which the Commissioners had in undertaking those works, and their determination not to proceed with them, unless Parliament would enable them to pay off the debt.

2536. You state in the agenda of June 1832, it was understood by the Treasury that a large portion of the sum of 10,000*l.*, Parliamentary grant, for the year 1832, would be required for defraying the debts of the late commission. You carried on your operations with the understanding that a large portion of the money voted to you was voted for the purpose of paying the old debt; do you suppose that Parliament at the same time understood that while you were paying the old debt you were to be contracting a larger one?—It is very difficult to say what was the understanding of Parliament. I can only state that we were pursuing a system, which was an improvement upon that of our predecessors, as the different returns to Parliament must have shown. In fact, the King's printers' bills which had been paid at the Treasury for the last thirty years comprised items amounting to 49,000*l.*, which were advanced to the commissioners by way of loan; and as the King's printers had received interest upon those items, we did not think that we were precluded, after a proper representation to Lord Althorp and the Treasury upon the subject, from adopting a system, which objectionable as we admit it to be, was still an improvement upon their system.

2537. But you applied then to Lord Althorp, as it appears, for additional money?—The very early proceedings of the board show that, soon after the present commission came into operation, a statement was made to the commissioners of the debts of the old board, and that the 10,500*l.*, or nearly the whole of it, would be requisite to pay off those debts, and that a very small sum would remain in hand for the payment of the workmen's wages and other daily disbursements. In consequence of that, the commissioners determined that a representation should be made to the Treasury; and that representation, as it will appear by the minutes of the board, which I stated on a former occasion, my Lord Brougham undertook to make. The subject of the debt has been frequently a topic of conversation, and Lord Brougham verbally stated to the board that he never could persuade my Lord Althorp to undertake to advance a sufficient sum of money to get us out of debt; so we went on in the old system.

2538. Then not being able to get the money from Lord Althorp, and being desirous of spending your whole income without being cramped by your former debt, you in fact overlooked Lord Althorp, and gained your end by running in debt?—No, the Treasury was perfectly cognizant of the old claim. The Treasury had been in the habit nearly 40 years of paying interest on advances made by the King's printers. The King's printers' bills had included items for advances or for disbursements made to the order of Mr. Caley, amounting to nearly 50,000*l.*

2539. Understand me, you applied to Lord Althorp for an additional sum of money to pay off the old debt?—The debts of the old board.

2540. That Lord Althorp refused?—I do not know what took place; certain it is we never got the money.

2541. But you spent exactly the same amount of money upon the new works of the commission as if you had got it?—We were compelled, as a matter of course, to adopt the system of our predecessors, the credit system.

2542. Why were you compelled to spend 10,000*l.* a year, without reference to your debts?—The different works that were in progress could not be carried on without an expenditure.

2543. But those works were undertaken by your own choice, were they not? Did you do it with your eyes open?—The commissioners determined, as I stated before, to undertake certain works of a different character from those published by the former board, with a view of ascertaining whether they might not be produced at a smaller expense. Those works were undertaken; they have been published; and, as I stated before, the commissioners determined, after they had shown the public the new character of the works, and the cost at which they could be

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produced, to make a stand, and not proceed any further, until the debt should be paid off.

2544. When was this stand to have been made?—The stand was made last January.

2545. Then it was before that the whole of this debt was incurred?—The whole of the debt was incurred before last September.

2546. I want to come to a definitive statement of the proceedings of the commission, and to ask you whether it is an accurate one: you started with a grant of about 10,000*l.* and a debt of 15,000*l.* or 16,000*l.*; out of the annual grant of 10,000*l.* a year, you had to pay off this debt; you endeavour to get additional money for the payment of the debt, but could not get it, therefore, the liability to pay it out of the annual income still remained: you have, however, continued to spend the 10,000*l.* a year in works of your own undertaking, and expenses of your own incurring, without any reference at all to the debt, and the consequence is, that you may be said at the present moment not to have paid off a single farthing of the old debt, but even to have incurred more?—I do not consider that is a fair statement, by reason of the position in which the present commission was placed. The present commission differs in no respect from any of the preceding commissions, except in the instruction to make special inquiry with reference to the establishment of offices, the fees of officers, and so forth: the present commissioners had to carry on the works of their predecessors, and formed a system which had been adopted during a period of 30 years.

2547. I am not alluding to the system, I am only alluding to the actual amount expended in paying off debts, and I must ask you, thus starting with an acknowledged liability to pay a certain debt, have you not carried on your expenses without any reference whatever to that; and comparing the amount of the present liabilities of the commission with those of the old, can it be said any part of the old debt has been reduced, ought it not rather to be said it has been increased under the control of the present commission?—I believe the old commission at no period within 20 years of the issuing of the present commission owed so little as does the board at the present period.

2548. Your actual statement of the debts of the old commission, at the time it left off, does not make it more than 16,000*l.* at the utmost?—I think it will be found that the old commission for 20 years preceding never owed a smaller sum than that.

2549. Than what?—About the actual amount of all our debts and liabilities at present, including those of the old commission, because I do not think it is fair to separate the liabilities of the old commission from its debts.

2550. That is what I have assumed in the course of the question I have been asking you, that what you call liabilities are in fact debts of the old commission?—My short answer to it is this, that the money received by the present board during the last five years will be found (in my apprehension) to be less than the money received by the old board during the five preceding years; and that the present commissioners have carried on their operations, have produced works which are admitted (I believe, on all hands, with the exception of two trifling works,) to be works of great value and credit to the country; yet at present do not find themelves more indebted, having done all that, than the old board was.

2551. At any rate you acknowledge you are as much in debt?—I think it may turn out, including the liabilities of the old board, which we have still to discharge, that we are as much in debt.

2552. Including the liabilities of the old board, you are much more in debt, because your own statement of the debts of the old board, your own hypothetical statement, does not make it more than 16,000*l.*, the actual debt of the old board.—I was alluding to this, that a large portion of our funds was applied to paying off the liabilities of the old board, independently of the 15,000*l.*

2553. Mr. *Hawes.*] Do you know now the debts of the old board?—I think we know them within one or two hundred pounds.

2554. *Chairman.*] What additions would you make to the statement you have made for the debts of the old board, which have come to your knowledge since?—There is a quarter's salary due.

2555. State in round numbers about what amount?—I will put it in my evidence; it cannot be more than 200*l.* or 300*l.*

2556. It

2556. It appears then from your statement, that of actual debts left by the old board, there was between 15,000*l.* and 16,000*l.*?—Yes.

2557. Of actual debt, for which the present board are responsible, deducting about 750*l.* for actual debts of the old board; you are responsible for about 20,000*l.* and odd?—Including debts and liabilities of the two boards.

2558. The actual debt then is increased 4,000*l.* or 5,000*l.*; I am distinguishing liabilities, observe?—If you include the liabilities of the old board.

2559. Now, you state that in this item of 16,168*l.* for the debts and liabilities of the new board, there is nothing which, under your division into debts and liabilities, would not come under the head of debt?—They are debts: it is money actually due.

2560. What are the actual liabilities?—The liabilities cannot be very great because very little has been done for the last nine months in the way of printing. It will be seen, by my return to Parliament, that all the bills have been paid up to Christmas last, except the King's printers' bills. The liability is really very small. If you will refer to a note at the end of the disbursements of my return to Parliament, you will find, in order that Parliament might be in possession of the real state of the finances of the commission, every thing was paid up to the 31st of December, with the exception of the King's printers' bills.

2561. Now, by the word liability, in the former part of your evidence, you designate all those expenses which you were obliged to incur, that is, if I may say so, morally obliged to incur, from the impropriety of leaving unfinished works which had been begun by the old commission, and which, without any exercise of your own judgment as to the propriety of publishing those works, you were in a certain manner compelled to go on with, merely because they had been begun; now, taking the word liability in that sense, what amount of liability, supposing this commission were dissolved to-morrow, would it leave upon the new commission; do you suppose the amount of liability in that sense would be much less than the other?—The present board owes nothing except for the unfinished works.

2562. I do not mean "owe?"—I think you will find that I shall answer your questions before I have done. There is no debt due, except the debt returned to Parliament, and what may be due to the King's printers in respect of unfinished works; almost all the works (with the exception of what I may treat as specimens, of which there have been only one or two sheets printed) have been brought nearly to a close, and I apprehend that the amount which any new commission might have to expend upon the finishing of those works would be very small. I will procure an estimate, and furnish the committee with it. The volumes being octavo volumes, the expense of compiling them has been comparatively trifling in comparison with a volume, for instance, of the Parliamentary Writs.

2563. Mr. *Hawes.*] You stated, I think, in a previous part of your examination, you objected to a topographical arrangement of the records?—I did so; the bulk of the records of the kingdom consists of rolls; and, as those rolls apply to manors and places in various counties; it would be impossible to effect a topographical arrangement without destroying the rolls, by taking them to pieces. Such is the opinion of Sir Francis Palgrave, Mr. Grimaldi, and other persons whom I have consulted upon the subject.

2564. Now, in your previous evidence on the first day you were examined, you state that Mr. Cole arranged the documents in the Augmentation Office according to their classes, and that he also arranged them according to topographical arrangement?—That was not in my answer, but in a question which was put to me relative to Mr. Charles Gay; my answer was, "I do not know whether Mr. Charles Gay is capable of arranging the records in years."

2565. You were also asked whether he was capable of understanding the topographical part, and your answer is, "he could sort them into counties;" did you then object on principle to a topographical arrangement, because it would lead to the destruction of the record?—It depends on what the record is; there are some records (but few comparatively in number) which admit of a topographical arrangement. The bulk of the records of the kingdom, and the ministers' accounts which are the most valuable records of the Augmentation Office, does not admit of a topographical arrangement; though there are some records in the Augmentation Office which do admit of such an arrangement, the Chancery records of the Tower contain instruments relating to nearly all parts of the world.

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2566. Then your objection to a topographical arrangement which you took to Mr. Cole's proceeding has reference rather to particular records, and not to records in general?—Certainly. I quite approve of Mr. Cole's plan for topographically arranging the miscellaneous records; for instance, any detached records. Charter-rolls can not be arranged topographically, but detached instruments may be so arranged; I see no objection in the latter case.

2567. I find there have been records which you have stated, and of which you will hereafter produce an instance, not admitting of such arrangement without injury to the records which had been so arranged?—Certainly, I think it an error of Mr. Cole to divide the records; it certainly has destroyed them, and I hope there will be no question raised in a court of law with respect to the step that he has taken. The heading and the signatures are separated from the other parts.

2567*. Are not the patent rolls divided into two or three parts?—I am not aware that the patent rolls have been divided into two or three parts since they were placed where they now are. The patent rolls have no such heading as the ministers' accounts; the minister's account is an account rendered of certain estates by an officer of the Crown; it is headed as his account, and contains his signature. If a party wishes to give evidence in a court of law whether property was in the hands of the Crown at a certain period, he refers to the minister's account for a particular year, for certain counties, and having found his entry relative to a monastery or relative to tithes, he obtains an extract and office-copy of that entry; and that office-copy is of no validity in a court of law, unless there be the heading, which shows who was the minister that rendered the account to the Exchequer, and unless it also have his signature. Courts of common law will sometimes dispense with the signature, but in strictness the signature is necessary.

2568. You will produce an instance in which this has been done?—Yes, I will produce the heading and signature to a roll which was inspected by Mr. Allen.

2569. *Chairman.*] Now, we will go to a subject which was left unfinished, the works printed by the commission?—Perhaps you will allow me to give in a short statement. Upon looking at some parts of my examination, I am desirous, with a view to the removal of all doubt as to its having been the intention of Parliament that the commissioners should authorize the publication of documents not preserved in any record repository, of enumerating to the committee some other works, the printing of which was recommended by the select committee of 1800, though not found of record in any of His Majesty's Record Offices.

2570. Are the words of the new commission, with respect to printing, precisely the same as the old?—I think they are, but I think I have already answered that question in a former part of my examination. I have already mentioned the plans for completing the year books and compiling a general index to them, and for an uniform edition of Bracton, Fleta, Glanville, and our other ancient law writers. By the bye, the "Regiam Majestatem," the "Quoniam Attachiamenta," and other treatises, have always been considered as portions of the old law of Scotland, upon which the critical skill of Mr. Thomson, the sub-commissioner for the Acts of Parliament of Scotland, was to be and for many years has been exercised. I have also noticed the recommendation, in consequence of which the Catalogue of Manuscripts in the Harleian collection at the British Museum was revised and reprinted, and some other catalogues of manuscripts; but so little did the Committee of the House of Commons in 1800, think that the aid of Parliament should be limited to the printing of matter of record, that they recommended that the opportunity of the commission (the issuing of which was then contemplated) should be taken for printing a glossary to Domesday Book, published eighteen years before; observing, that they very much approved of the plan for a glossary, judiciously pointed out by Sir George Rose, then Keeper of the Records of the Chapter House. The Committee also recommended that a separate catalogue, digested under proper heads, should be formed, comprising all the state papers and public documents dispersed through the different collections deposited in the British Museum; a work which they observed would necessarily demand much time and labour. There is no court in Westminster Hall which would acknowledge any of *these* documents and papers to be records. It was moreover recommended by the same Committee, that the selections and copies made by Lord Hale, from the early special judgements of the common law court, should be printed, and that if, in consequence of the special clause in Lord Hale's will, his manuscripts could

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not be procured for the public, a book containing similar copies and selections in the Middle Temple library, or an abstract which had been found at the Chapter House, should be printed; and even if Lord Hale's compilation could be obtained, that such book and abstract as they appeared to take in a larger compass of time, should be published, by way of supplement, to Lord Hale's work. Besides these works, none of which, with the exception of the Domesday Glossary, have yet been printed, the Committee of the House of Commons recommended the publication of a collection of the royal charters of Scotland. Now, at the time when the Committee made their report, it was well known that there remained in the general register house at Edinburgh but very few rolls of charters; for instance, of the rolls of Robert the First, there was only one roll out of 24. Of the 40 rolls of charters granted by David the Second, the whole as lost. Out of the six rolls of the reign of Robert the Third, only one was extant. As there was no hope that this loss could be repaired, the Committee must have intended that the vast chasm in the rolls should be supplied from original charters in private custody, and from well authenticated transcripts. Accordingly, when the board commenced the formation of the collection of the royal charters of Scotland, recourse was had to the charter-chests of individuals, to the chartularies of religious houses, to copies in public libraries bearing marks of having been made from the rolls of charters indicated in the old calendar, and now lost or destroyed; and the quarterly reports of the sub-commissioners for Scotland abound in notices of charters thus obtained, a great number of the original charters appearing to have been acquired by purchase. So little did that very learned and eminent person imagine that the board was only empowered to print records, that in an official letter from him, which may be seen in the Appendix to the first general Report of the Commissioners, several times printed by order of the House of Commons, he proposed to the board the publication of the two following works: first, a Collection of Royal Letters in the reigns of James the Fourth, James the Fifth, and Queen Mary, preserved in the royal library at the British Museum, in two volumes, and of which, be it observed, an edition, although a very incomplete one, was published by Ruddiman, about the year 1723; and, secondly, a selection from letters and other writings, chiefly original, in the Cottonian Library, illustrative of the state of affairs in Scotland in the reigns of James the Fourth, James the Fifth, Queen Mary, and James the Sixth, and from which the best historians of that period appear to have derived much of their authentic information.

2571. It seems to me that all these instances amount to this: Mr. Thomson desired to spend the money of the record commission in publishing works which I should say were not within the province of the commission?—I mentioned it to show the construction which has always been put on the words of the commission; I may be wrong as well as the commissioners.

2571*. At the utmost it would only amount to this, that to a charge of erroneous application of the money to objects not intended by the commission, you adduce the example of Mr. Thomson?—These are some of the other works in addition to those I have formerly mentioned, all specified by the report of 1800 as proper to be published, and none of which come within the description of documents deposited in record offices, or that of public records. It is worthy of notice, that the Committee of 1800 state, that in selecting these and other works to be printed at the expense of the nation, they did not wholly rely upon their own judgment, but that they have thought it their duty to consult persons of the greatest learning and experience upon the subject, who upon a review of the several returns laid before the Committee, and after deliberate consideration, proposed the several articles and matters set forth in the report, and that the Committee entirely concurred in such proposals, and strongly recommend such articles and matters to the attention of the House.

2572. You interpret the commission by the address?—By the address and by the report of the House of Commons.

2573. Now, does it seem to you a safe rule to lay down, if a committee of the House of Commons recommend a particular object, and the Crown in carrying that object into effect very much deviate from the terms of the committee, that the commission should be interpreted by the suggestions of the committee?—I think you will find that the commission has reference to the report of the House of Commons, and to the address.

2574. Surely the largest recommendation of the committee could not enlarge the

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the operations of the commission any more than the preamble of a statute could enlarge the operations of the enacting clause; I take a very strong illustration; if in the preamble of the statute it is mentioned that something is desirable to be done, and the enacting clauses have no reference to that matter, it is never supposed that what is considered desirable in the preamble is enacted by that statute; in the same manner it appears to me, if the committee suggest one thing as desirable, and the commission provide no means of doing it, you ought not to extend the means of the commission for doing that which appears to have been specifically and intentionally left out of it?—I do not think it is intentionally or specifically left out. I think, looking at the commission, as a lawyer, the commissioners were at liberty to refer to the report of the House of Commons in 1800 for their instruction.

2575. I wanted to ask particularly about some of the works which are mentioned in the return; I was following your last return to Parliament, have you it?—I have it not here.

2576. This work which I hold in my hand is commonly called the Roll of Stephen; what was the reason for printing this?—Because it is the earliest of a very curious and valuable series of records called the Pipe Rolls.

2577. Now, who was the editor appointed to that work?—It was transcribed by Mr. Foxton, who assisted Mr. Hunter in the editorship and collation. Mr. Hunter wrote the preface and compiled the index.

2578. How was the work done in point of execution?—I have never heard of any defects in the work.

2579. Do you know whether the index is good?—I think the index is prepared by Mr. Hunter.

2580. Are you aware of this error in the index, that the whole title of Fitz is omitted, so that if there is a Fitzherbert or a Fitzalbert, or any name of that kind, you have no reference under that term, but you have to look to the christian name to which the Fitz has been prefixed; do you think that a convenient mode?—I have no doubt that, if the index was prepared by Mr. Hunter upon that principle, he had a good reason for it. Mr. Hunter furnished the board with some very able observations on the subject of compiling indexes, and I rather think, that in the Pipe Roll in question, he has given a specimen of what he considered an improved method of compiling the indexes to works of that description.

2581. Now, "Proceedings and Ordinances of the Privy Council," how many volumes of this work have been already published?—Five.

2582. How many more will be necessary to complete it?—That will depend upon the period down to which the commissioners may think proper to continue the publication. It may be stopped at any time; the Privy Council books are curious, at all events, down to the end of the reign of Elizabeth.

2582*. What renders them less curious after that period?—They furnish less materials for history after that period; the entries, generally speaking, after that period are of a less interesting kind. I have, however inspected a very curious Privy Council book in the possession of Sir Thomas Miller, with Sir Harris Nicolas, relating to the time when William the Third landed.

2583. How many volumes would be required to complete it down to the time of the Revolution?—I do not know.

2584. How late has it been carried?—I think Sir Harris Nicolas is now at the reign of Henry the Seventh, or the beginning of Henry the Eighth.

2585. Now Sir Harris Nicolas is the editor of this, is he not?—He is the editor.

2586. This is the work of which it has been stated that the transcriptshave been twice made; were transcripts made by the clerks of Sir Francis Palgrave?—I was asked that question on a former occasion, and I find that Sir Francis Palgrave's clerks did transcribe some portion of the early period, but I doubt very much, from the information which I have obtained, whether that portion could have been used.

2587. When you determined that Sir Harris Nicolas should publish them, the whole of them were already transcribed?—I was asked a similar question with reference to the "Romli Selecti"; and I ascertained, in answer to your question, that, a small portion of it had been transcribed by Sir Francis Palgrave's clerks: had we known this, we might have saved 3*l.* 6*s.* 8*d.*, according to the number of the folios.

2588. But

2588. But the whole of these were transcribed when Sir Harris Nicolas published it?—The whole.

2589. Now did Sir Harris Nicolas, when he undertook the editing the work, apply to you for the former transcripts made by Sir Francis Palgrave's clerks?—I rather think there was some conversation between Sir Harris Nicolas and myself upon the subject, and it was not thought worth while to make any application upon the subject of the former transcripts, which in all probability (and I rather think it turned out to be so) were bound up in books with other records, and there would be no great saving to the public.

2590. Then you suppose there would be a trifling saving to the public if the original transcripts had been used, instead of new ones being made?—There was a portion, I think, of the first or second volume transcribed by Sir Francis Palgrave's clerks, and bound up, as I recollect now, in books; the books must have been unbound, and Sir Francis Palgrave in all probability would have been at a stand for some other work, if the transcripts had been given up to Sir Harris Nicolas.

2591. Who transcribed for Sir Harris Nicolas?—Mr. Baker, his clerk, he was paid for them.

2592. At what rate was he paid?—At 4*d.* per folio.

2593. For the whole?—For the whole.

2594. Was he never paid more than 4*d.*?—Not that I recollect; there was a claim made for more than 4*d.*, but I refused to acknowledge it.

2595. Was he not actually paid at the rate of 6*d.* per folio, and then obliged to refund?—I think not; there was a question at first whether it was to be 6*d.* or 4*d.*

2596. Where is the first order for the printing of this work, "The Privy Council;" is it the 1st June, 1833?—Yes.

2597. Is this it, "Ordered that Sir Harris Nicolas be authorized to proceed with the printing of this work under the direction of the board?"—That is the first order.

2598. To what does the term "to proceed" have reference?—Because I had stated, as will appear by a former part of my examination, that I had been authorized to set up a specimen of the work; that was fully explained in a former part of my examination. After the order of the board was obtained, I wrote to Sir Harris Nicolas, and informed him that I had obtained the order; that letter shows that the former proceedings were merely provisional.

2599. The date in the King's printers' return gives the 13th of November 1832, as the date when it was put in type, and the 13th January 1833, as the date of a portion of it being finally printed off; so that, according to that, a portion of the work was printed off six months before the order of the board?—That is explained in a former part of my examination, where I give the letter of Mr. Macdonald, of the King's printers' office; and it appears from that letter that whatever was done, previously to the order of the board, was merely conditional and subject to its approbation.

2600. And what quantity was that?—I am not at all aware what was the quantity. It has very often happened that the King's printers have worked off several sheets of a work, on the understanding that the order of the board would be obtained; they have run the risk.

2601. In fact, the order of the board seems to be of so little consequence, that you had a large portion of this work printed?—No, not a large portion.

2602. The King's printer does not state the amount, but says a portion of it was finally printed off?—I think it will be found from Mr. Macdonald's letter, which I quoted before, that until the month of April (whatever might have been printed off), the final plan of the work was not arranged between the King's printers and Sir Harris Nicolas.

2603. What accounts for there having been seven sheets cancelled?—Sir Harris Nicolas must answer for that himself; perhaps there was some part of it worked off in January 1833.

2604–5. It appears then that this operation of the working off so early has probably been the cause of this great cancellation; are you aware of the amount of cost of corrections of that volume of the Privy Council?—I am sorry to say the corrections of Sir Harris's works are as heavy as those of any other person.

2606. It is rather a larger proportion; there is 120*l.* for printing, and 80*l.* 18*s.* for corrections, so that the corrections are two-thirds of the whole cost of the original printing?—In my judgement it is extremely difficult to edit any work of this description without considerable corrections.

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2607. I want to connect this with your former answer; do you suppose this large amount of expenditure for corrections is in any manner owing to the circumstance to which you attributed it just now, the work having been printed off so long before the order of the board was obtained?—Nothing to do with it.

2608. I thought you attributed the cancellation to that?—No, the cancellations are to be attributed to the change of Sir Harris's plans; according to Mr. Macdonald's letter it appears that Sir Harris had no fixed plan; the manuscript was put in type, and various changes were made in the type and in the form of the pages, till April 1833; nothing could have been finally worked off before that time, except specimens.

2609. Then this is a mistake of the King's printers?—In all probability the first sheet of the work was printed off at that time; but Mr. Macdonald's letter, written after that time, will give the best explanation of the circumstances.

2610. What are the next works, the appendix and introduction to the Valor Ecclesiasticus?—The appendix to the Valor Ecclesiasticus forms the sixth volume; it was partly printed at the time when the present commission issued. As to the statement by Mr. Protheroe, (questions 1294 and 1477,) that portions of the Valor Ecclesiasticus have been found since the publication of that work, I have also a statement to make. It is a record of very great importance, and I am sure you must be exceedingly unwilling that prejudice should result to any individual, from the statement that has gone forth, that the work is not complete and authentic. It may be a very dangerous consequence to individnals if that statement should go forth uncontradicted; I state, therefore, that it is not true that any part of the Valor Ecclesiasticus has been since discovered.

2611. The Norman Rolls?—That volume was edited by Mr. Hardy.

2612. That is a work which you described to the committee as a great glory to the country?—That is one of those works; it forms part of the series of the early rolls at the Tower.

2613. A work of which you spoke in high terms of commendation?—I stated in another part of my examination, that the publication of that series of rolls would reflect very great honour upon Parliament, which authorized the publication of them.

2614. The Oblata Rolls is one of the same works, is it not?—The Oblata is also part of the same series. I know that it has obtained great credit abroad.

2615. The Patent Rolls?—The Patent Rolls belong to the same series.

2616. All those works were published I believe by Mr. Hardy, were they not?—They were edited by Mr. Hardy.

2617. All those works are now suspended, are they not?—They are suspended, because, as I stated upon a former occasion, the commissioners were desirous of producing works of a new character, and of showing to Parliament that they might be edited at a moderate expense. The commissioners, Lord Canterbury in particular, were perfectly aware that, with the debt then pressing upon the commission, it would be impossible to continue these publications, unless some assistance were given.

2618. When were the works suspended?—They were suspended last summer, or about the end of August.

2619. Had Mr. Hardy notice then of the suspension of these works?—The works were suspended by a letter from me, until such time as the board should meet.

2620. Then is the committee to understand, that in order to come well before Parliament and the country, the commission suspended these works, the publication of which reflected most honour and glory upon the country?—The suspension of these works had no reference whatever to our coming before Parliament.

2621. I think you stated that you suspended these works in order to show Parliament or the country the best works you could do?—I repeat that they were *undertaken* for the purpose of showing to Parliament and to the country, works of a new character, and that they might be produced at a moderate expense; an expense much smaller than the old publications of the board.

2622. What was the reason for suspending them?—The reason for suspending them arose, in the first instance, out of a difference between myself and Mr. Hardy as to his rate of remuneration; the works have continued suspended in consequence of the want of funds.

2623. Have any other works been suspended on account of want of funds?—All the works have proceeded very slowly, from that cause.

2624. Have any other works been actually suspended?—The Pipe Rolls are suspended

suspended on account of the want of funds; there are various other works which we could not carry on for want of funds, as the Parliamentary Writs.

2625. But how comes it, that among the first works suspended (for they seem to occupy so prominent a position among the works suspended, that at first you could hardly recollect the name of any other works suspended), how comes it, that these works so suspended happen to be the works which you think reflected most glory upon Parliament and the country?—Upon my former examination I stated the circumstances under which these works were undertaken. I stated also that it was manifest to the commissioners that the works could not proceed long, much less with rapidity, unless Parliament should grant additional sums for the service of the commission; and the board framed its order with that view. The order of the board was, that the works should be undertaken and should proceed from time to time, as the funds that were at the disposal of the commission might permit, and without interfering with the other necessary works then in progress.

2626. What works could be more necessary than those, which above all others reflected glory upon Parliament and the country?—The works which had been previously begun and which were then incomplete.

2627. Why should these works be completed more than this work;—These works had not then been undertaken; they were undertaken during the period the other works were in progress.

2628. How is it that when you had got different sets of works going on, one or more of which it was necessary to leave incomplete, how is it that you have fixed upon all those works which you have specified as reflecting the greatest glory upon the country?—Because the order of the board was, when these works were undertaken, that they ought not to interfere with the compilation of the other works; their funds falling under the terms of that order, they were necessarily the works which ought to be suspended.

2629. But had not the board found out the peculiar credit these works conferred upon it, and did not that make any alteration in its feeling?—The works were suspended last August, the first meeting of the board was on the 18th December, and we all know what has happened since: it was not very likely, after what has occurred recently, that the board would continue printing, it being manifest to everybody that the funds at the disposal of the board were not sufficient strictly for the conducting of the necessary operations in the cleaning and repairing of the records, and the salaries of the different officers; and this inquiry has now been going on for some months past.

2630. Who was the editor of the Rotuli Curiæ Regis; was Sir Francis Palgrave?—That work is edited by Sir Francis Palgrave.

2631. Then we come to a work of your own, Mr. Cooper, an Account of the most important Records of Great Britain, and the publications of the Record Commissioners, two volumes octavo; was this work printed by order of the commissioners?—It was printed by order of the board.

2632. It is stated I think in the Parliamentary Return of 1833, that it was printed by their order?—It was printed by the order of the board, and you have it in the paper which I delivered in when I was last here; the order is already upon my evidence.

2633. As one of the works of the commission?—It was printed at the expense of the commission, but like the reports and other documents which are not in the nature of publications of records.

2633*. If upon any occasion on which the printing of this work has been commented on as one not properly within the province of the commission, it has been stated by commissioners that it was printed without the knowledge or sanction of the commission, and not paid for out of the commission funds; is not that a misapprehension, and can you account for such a misapprehension existing?—It was a misapprehension, because the order of the board has been already produced in the course of my examination for the production of the work. I can account for the misapprehension, because it was my original intention to compile and print the work at my own expense; but finding, before I made much progress in the work, that it would be more expensive than I imagined, and thinking that the commissioners could not very well execute the task that was imposed upon them without having a work of that description, I proposed to Lord Brougham, that I should print it at the expense of the board. The order of the board notices that communication between Lord Brougham and myself. I am not at all surprised that some commissioners have imagined it was a private work: my labour

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was gratuitous, and the work contains very free observations upon the publications of the former commission. It was obviously improper, therefore, that it should be printed in the same way that the others are, "by command of His Majesty King William the Fourth, under the direction of the commissioners on the public records of the kingdom;" being a work designed to enable the commissioners better to execute the task imposed upon them, and containing much criticism upon the works of the former board.

2634. Is the work an original work, or is it not chiefly a reprint?—It purports (on the face of it) to be a compilation, and it will be seen that all throughout the work wherever there are any passages or any articles which have not been previously printed, they are expressly stated to have been taken "from manuscript collection," that is, from the manuscripts and documents which were in my possession as secretary to the record board. Whatever is my original compilation is distinguished by being in brackets.

2635. Have you distinguished the works of the different persons by their names?—Not by their names. A very considerable portion of the work is taken from reports and papers of Sir Francis Palgrave, but his name is never mentioned; and that system has been pursued throughout. I observe that Mr. Illingworth claims a considerable portion: but I have looked through the volumes, and I am satisfied that not half a dozen things are taken from the manuscript of Mr. Illingworth.

2636. Now, of this work it appears 250 copies were printed, and 144 sold; what has become of the remaining 106?—They were given away to public libraries, and to the commissioners, sub-commissioners, and editors.

2637. Did you consider this a work, consisting as it does of criticisms upon the conduct of the old commission, and not for that reason printed with the apparent authority of the commission, a proper work to send out?—It was principally sent to foreign libraries; and though it contained criticisms upon the works of the former board, the greater bulk of it is an account of the public records, and of the publications of the record board; a very proper book to be placed in public libraries by the side of those publications.

2638. This paper, which you have given in as one printed by royal authority, appears to be a letter from Messrs. Baldwin & Cradock, inviting the public to buy the work: to whom was this letter addressed?—That is only a circular sent round by Baldwin & Cradock, apparently with some publication of the record board sold by them, with a view of disposing of those copies which had not been previously given away by the commission. It is not correct to say that the commissioners had determined that it should not be given away, because many were given away, but it was determined that the remainder should not be altogether given away. If there had been an edition of 500 copies, they would have been sold; unfortunately there were only 250 copies: the copies given away were principally given to foreign libraries.

2639. In the second volume of this work there is a proposal for an Act of Parliament to make the old publications of the record commission evidence in courts of justice: by whose suggestion was that Act framed, or what was done about that Act, in fact?—It was framed by Sir Francis Palgrave; it was a proposal of his.

2640. Did you sanction that proposal? Was it ever entertained by the commissioners?—Never.

2641. What was the object then of mentioning it in this work?—The general object of the work was to collect together information concerning public records. Sir Francis Palgrave has considered, and still considers, that what you have mentioned is a very important suggestion. I, for one, do not at all coincide with it. Sir Francis Palgrave proposed an Act of Parliament some time ago, to make the publications of the record commission evidence in courts of justice, alleging that whatever faults they have, they are still less faulty than the office-copies of record office keepers.

2642. Now, from what I recollect of the passage, it appears there is a proposal sanctioned by the writer of the book; and as far as your name in the title page had any weight as secretary to the commission, or as far as it could have weight, being known to be a work printed by the commission, the impression must naturally have arisen from recording the passage, that that was a scheme which the commission had in view. Does not that appear to you a proof of the impropriety of the mode in which the work was put together, without any distinction between the

the sources from whose authority the various headings in the work emanated?—I have not seen the passage since it passed through the press, but I doubt very much whether it so appears in the book as having even the sanction of the compiler of the book. I think it appears like the other papers to have been taken from the "manuscript collection," which was in my possession as secretary to the board.

2643. Are you aware that, in extracts from the records, there are a good many inaccuracies in this work?—I dare say there are, as in all similar compilations.

2644. Now, there is a work here, "Sir Francis Palgrave's Essay on the Origin of Equitable Jurisdiction;" is it true that the substance of that work had formerly been published as an article in the Quarterly Review?—I consider that this essay is in the nature of a report to the board, rendered extremely valuable by certain records which are printed in the appendix; and the fault which I attribute to the publication is not the fault of Sir Francis Palgrave, but rather my own, in suffering it to be laid before the board as having been printed with that title-page, as "printed by command of His Majesty King William the Fourth, under the direction of the commissioners of the public records of the kingdom." It ought to have been printed as a report, and not as one of the regular record publications. In the appendix to it there are some curious and valuable records.

2645. What proportion does the work, as printed by the commission, bear to that portion of the work printed in the Quarterly?—I think it is double or triple, independently of the appendix.

2646. Mr. Protheroe stated, he heard the opinion expressed by you, among others, that this work was merely a republication of materials which were formerly published, and that you intrusted the work to Sir Francis Palgrave on representations of his, which turned out afterwards not to be correct?—Will you be kind enough to read what Mr. Protheroe's evidence on that subject is?

2647. I am reading you the words; the question is 1576. I ask Mr. Protheroe, "Do you know it was a mere republication of materials which were formerly published?" "I heard that opinion expressed by several, and among others Mr. Cooper." Did you state to Mr. Protheroe, it was a republication of materials?—I have no doubt that I stated something of that sort to Mr. Protheroe; it was a private communication to Mr. Protheroe.

2648. Sir *Robert Inglis.*] Made in the confidence of one gentleman to another, and without having any thing brought before you from which you gave your opinion?—Such opinion was expressed in a letter, which, upon the face of it, and the very terms in which it is given, purports to be a private communication.

2649. *Chairman.*] Mr. Protheroe does not quote the very terms?—Yes, Mr. Hunter was here, and told me that he read the very letter.

2650. What induced the commission to reprint an article in a work which was so largely circulated as the Quarterly Review? Did you know at the time it had been in the Quarterly Review?—I do not think that the commission was exactly aware of the nature of the publication, at the time when it was ordered.

2651. Sir *Robert Inglis.*] Are the Committee to understand, in a previous answer from you, that the bulk of the work, as published by the record commission, exceeds double or triple the bulk of the article which appeared in the Quarterly Review, independently of the materials forming the appendix to the work, as published by the record commission?—According to the best of my recollection that is the case, that, independently of the appendix, it exceeds in some such proportion the article that appeared in the Quarterly.

2652. From the terms of that answer, you do not consider the commissioners reprinted the article which appeared in the Quarterly Review?—I do not think it can be fairly represented as a reprint. When I said the commissioners did not exactly understand the nature of the work, I am induced to say so, because I think that if the commissioners had previously understood that such was the nature of the work, they would have directed it to be printed as a report, and not as a public record. That is the only mistake (I think) which has been made.

2653. The *Chairman.*] A report upon what?—A report of Sir Francis Palgrave on one of the most interesting subjects on which he was engaged as a sub-commissioner.

2654. Whether you call it a report, or whatever other name, it would have been an original essay of Sir Francis Palgrave upon an antiquarian subject?—It is entitled an essay: but if the committee had before them the former reports of Sir Francis Palgrave, which have been printed from time to time by order of the old board, they would see that these reports abound in very curious antiquarian, historical,

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historical, and constitutional information; and I conceive that the essay is a paper of that description, and is quite as properly printed as any of Sir Francis Palgrave's former reports. The only difference is, the former reports were printed in large folio for the use of the commissioners only, and this has been printed so as to give to the public the opportunity of purchasing it.

2655. Was this a report upon any particular work?—Not upon any particular work; but the report is connected with various works which were carried on under Sir Francis Palgrave's direction. He was engaged in editing the constitutional records from the earliest periods.

2656. Which of them has he edited, for instance?—The Parliamentary Writs alone have appeared, but that work is only a part of the series, and not the earliest part: it has been stated in the reports, and in the preface to his works, that the earlier series of records, illustrating the ancient constitution and policy of the kingdom, would be likewise printed.

2657. Now, it appears Sir Francis Palgrave was editing the Parliamentary Writs; from this work he draws certain inferences (I suppose this from the title) upon the origin of equitable jurisdiction, and publishes an essay upon that. Why should you more call that a report upon Parliamentary Writs or any other work of the kind, than you would call any other essay published by any other individual upon the subject, deriving his information from Parliamentary Writs?—The Parliamentary Writs were only a part of that series of publications and works upon which Sir Francis Palgrave was engaged. If I were called upon to name that work in the series with which the report or essay is most intimately connected, I would say the Rolls of the Curia Regis. The title (I apprehend) of an essay has been given to it, rather with a view to its publication than to the contents of the volume. I consider it to be more properly a report; but it could not, for obvious reasons, be published and sold under that title. "An Essay upon the Origin of Equitable Jurisdiction," was considered a more popular and saleable title than "A Report" would have been. The committee will see that the title in the order for printing is different from the title of the work as published.

2658. Now Sir Francis Palgrave is among the most competent of the editors employed by the board, is he not?—I consider him to be so.

2659. Is not one part of the qualifications of an editor accuracy, and an understanding of the publications and the printing of the works?—I consider Sir Francis Palgrave to be most accurate.

2660. How is it then that the printing his work cost nineteen pounds eight shillings and sixpence, and the correcting cost twenty-three pounds thirteen shillings?—It will be seen that the work was put in type as early as the beginning of the year 1832.

2661. Second March 1832?—Soon after that Sir Francis Palgrave became involved in an inquiry respecting the expediency of continuing the publication called "Parliamentary Writs;" that inquiry took up the greater part of his time, the work remained in type, and when the question which had been so long in discussion was settled, he found himself in possession of materials to make very considerable additions and improvements in the essay. Those additions have been made, and I believe, from the statement he has made to me, that it was the cause of the very heavy expense of the corrections, compared with the total cost of the work.

2662. So that in fact the history of the work has been, that it was originally printed in a very incomplete form, and subsequently a fresh work was printed?—Large additions were made, the result of knowledge or materials which he had subsequently acquired or collected.

2663. Now there was a proposal for the erection of a general record office and papers relative to the project of building a record office: were these the works of Mr. Illingworth?—No.

2664. None of them?—He states in his evidence he furnished the idea for the first work: but the idea that the rolls' estate would be a very proper spot on which to erect a general record office, was (I believe) derived from an opinion of the late Mr. Kipling, in his returns to the select committee of 1800. Mr. Illingworth in 1831 drew up some paper relative to the erection of a general record office on the rolls estate, which paper was communicated in the first instance (I think) to Sir John Leach, and by my desire a copy of it was also communicated to Lord Brougham. The paper bears no resemblance whatever to my proposal for a general record office. The statement relative to the trustees' fund was given to

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me (I believe) by Mr. William Brougham. Throughout that work, it will be seen, that I make great use of Mr. Illingworth's observations; but he is not at all justified in saying, that the proposal for the erection of a record office was a proposal that came from himself. Elwood the quaker might just as well say that he was the author of Milton's "Paradise Found."

2665. There is a work which I wish to draw your attention to—a selection from miscellaneous records of the King's Remembrancer of the Exchequer: you seemed to have some doubt in a former examination about the existence of that work?—No; I knew perfectly well what work was alluded to.

2666. Then what was it you objected to—the title of it?—The title. It will be seen, upon referring to the work itself, that it purports to be an appendix to the Agenda of the board, and the signatures will show that it was an appendix to a volume of the Agenda. That volume contains specimens of records. It was thought inconvenient, and Mr. Williams Wynn among others thought so, that documents of that description should be introduced among the Agenda; because it swelled their length, and often obliged commissioners unnecessarily to read what was not matter of discussion before the board. In consequence, it was determined that documents of that description should in future be introduced into an appendix, and the work to which you allude was intended to form part of the appendix to the Acta or Agenda. I might say that the great motive for undertaking that work was to enable Mr. Cole to gain something more than his salary of 150*l.* a year.

2667. Then one of the commissioners' motives for undertaking a work is to give a salary to the person who superintends it?—That is not quite a fair statement; the work itself is one which I conceive is of very great utility to the historical inquirer. It affords specimens of some records, the nature of which was very little known before; it publishes others which have been recently discovered, and which throw a very great light upon some passages in our history; if I recollect right, there is even a Parliamentary roll among the collection. Of course the advantage to the public was the paramount object; but I have no hesitation in saying I was very glad that an opportunity did occur of enabling Mr. Cole to get something more than 150*l.* a year; and Mr. Cole knows perfectly well that work was to be an appendix to the Agenda.

2668. In the work called the Agenda it appears the primary object of it was as notes of business for the commissioners?—That was the primary object.

2669. It appears subsequently you put into it a variety of communications, such as letters in Latin, to the commission and to yourself, from learned persons and municipal authorities abroad; was that necessary for notes of business?—Certainly not.

2670. Then with what object were they put there?—I consider them not only as notes for proceedings, but as notes of the proceedings of the board. As to the printing of these letters, my principal object was to show the friendly disposition encouraged toward this country by the presentation of its public works to foreign libraries. I recollect a letter that is printed from the United States of America, an exceedingly friendly letter, which was copied afterward into most of the newspapers. Such was my design in printing those few letters which are contained in the Agenda; few only were printed, though we have received hundreds of similar letters: it was simply to show the kindly feeling which the presentation of those copies had caused towards this country, and it is not fair to represent it as vanity upon the part of the secretary.

2671. There are other portions of the work which seem to me still more inexplicable how they found their way into the Agenda I mean various portions of records which are printed there; for what purpose were they printed in the Agenda?—As I stated before, I considered the Agenda were to answer two purposes; first, as a directory for business which was to be transacted, and in the next place, as a volume which might be in the nature of proceedings of the board, almost in the same way as the Archæologia contains the proceedings of the Antiquarian Society, or the Asiatic Journal those of the Royal Asiatic Society.

2672. No, the illustration is not a correct one; the only works which the Asiatic Society publishes are publications of its own transactions, the whole of which, I believe, consist of essays read at a meeting of the board; this is the only publication which the society gives, and the objection which I suggest to this is, that a board which publishes works of a great permanent interest publishes one particular work, in which it mixes up matters of permanent interest with the mere proceedings

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ceedings of the board, which can have no interest a year, or, perhaps, a day after they took place?—The Agenda of the board certainly bear but a small proportion to the rest of the volume; but, of the latter, if it had not been printed as part of the Agenda, considerable portions must have been printed as specimens; because, for instance, there are extracts from the Memoranda Rolls and the Wardrobe Books; and supposing it should be the intention of the commissioners to print either of those records, it would be necessary previously to make them acquainted with the nature of them, which could be done only by specimens.

2673. But, then, the difference between the specimens and these publications is, that of the specimens they would print a much smaller number, would they not?—The difference in the expense would be nothing, because whether you print 250 copies or no, it is the same thing; there is little or no difference of cost between 25 copies and 250 copies.

2674. Has not the result of this been, that a portion of valuable material, extending in many instances much beyond what could be justified as a mere specimen, is now to be found only in a work which professes to be the record of the business transacted at the meeting of the society, and in which they are not properly arranged, or would not be looked for by the inquirer: I fancied from the answer you made before, it was from recognizing some such fact in that mode of proceeding, that you were going to publish this appendix?—It was for that reason, and from the suggestion of Mr. Williams Wynn and some other commissioners. I only wish it to be put on record, that I do not believe the public has incurred any additional expense. I consider that if we had printed specimens like the former specimens, they would have been lost; while this volume exists in the different libraries, and particularly in the British Museum; and I am told that no volume is more called for in the Museum than that book.

2675. Do you mean to say that all extracts from records printed in the Agenda, are to be defined as specimens necessary for the use of the commissioners?—Certainly not; yet all but the principal or the most expensive are so.

2676. What kind of persons were employed as editors of the extracts printed in the Agenda?—I think the greater part of them are done by Mr. Cole.

2677. Did you ever employ Mr. Thompson?—Mr. Thompson did some portion of them gratuitously; but I found them to be inaccurately done.

2678. Did you intrust Mr. Cole with the looking over those portions which had been edited by Mr. Thompson?—I rather think I did.

2679. Did you see that specimen (handing it to the witness) of his errors of the press?—Mr. Thompson I do not consider so capable of editing a record as Mr. Cole; nor do I consider Mr. Cole as capable as most of the other gentlemen in the employ of the board. I could produce numerous specimens of Mr. Cole's errata if necessary, but I consider it extremely difficult for any person to edit a record with perfect accuracy.

2680. Now, then, this work, this selection from the miscellaneous records is printed without any preface or title-page?—That is an incomplete work.

2681. Has not a preface been printed?—Mr. Cole, of his own authority, has printed a preface.

2682. Now, when the preface was in manuscript, before it was sent to the press, was it not seen by you?—It was seen by me without a title-page; I have got a copy of the preface as printed with the title-page.

2683. Was not the preface sent to press by you?—Mr. Cole was in immediate communication with the printer.

2684. Was it sent to press with your knowledge of its existence, but without your sanction?—I should say Mr. Cole had my authority either express or implied.

2685. Then, how can you say that Mr. Cole sent this preface, upon his own responsibility?—Mr. Cole has produced a title-page and a preface to that work, and made the volume appear to be a complete work, without my sanction or authority; the preface was intended to be suitable only to an appendix.

2686. Then you did not know of the title-page?—No.

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Veneris, 29° *die Aprilis*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir William Molesworth.
Mr. Hawes.	Dr. Bowring.
Sir Charles Lemon.	

MR. CHARLES BULLER, IN THE CHAIR.

Charles Purton Cooper, Esq., called in; and further Examined.

[*The Witness produced the following Documents:*]

1. EXTRACT from the Minutes of the Proceedings of the Board of His Majesty's Commissioners on the Public Records of the Kingdom, held the 9th of March 1833, relative to the Salary of Sir Francis Palgrave.

2. Treasury Constitution appointing Sir Francis Palgrave Keeper of the Records of the Exchequer at the Chapter-house, 15th May 1834. (Copy of a Treasury Minute, dated 18th April 1834, relative to the appointment of Sir Francis Palgrave to the office of Keeper of Records at the Chapter-house.)

3. Heading of Ministers' Accounts.

4. Report of Mr. Hallam and Mr. Petit on the work carrying on at the Augmentation Office and Record Office in the Tower, under the authority of the Board, February 19th, 1835.

5. Hints prepared by Mr. Allen for regulating the distribution of Works published by the Board.

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2687. *Chairman.*] WHEN were these hints prepared?—About two years ago.

2688. Have they been laid before the board?—Yes, and acted upon.

2689. The Committee wish to ask you a few more questions about the works. You said with respect to the Extracts from Miscellaneous Records, which is now going on as an appendix to the general report, there was a preface, which has been cancelled?—Not cancelled.

2690. What then?—It was not worked off.

2691. And a title-page printed without your authority?—I have no recollection of giving any authority for the printing of the title-page; and I feel convinced that I never did give such authority, because the title-page purports to be a title-page to a distinct work; whereas the selection here, as the signature will show, was intended as an appendix to another volume.

2692. It seems an odd plan for you and the commission, whenever you have an appendix printed as a separate volume, not to have title-pages; is that usual in other books?—I apprehend it is very usual indeed; an appendix should have no other title, except "Appendix," and a heading.

2693. If you print an appendix to any separate volume, that ought to have a title-page?—The volume would have a title-page; in this case the title-page does not show that it is an appendix to another volume. Therefore, I could never have authorized the printing of a title-page to this appendix, as if it were a separate work.

2694. Have you not got a copy of this book with that title-page?—I have.

2695. Did you lend that copy to Messrs. Britton & Brayley?—I do not know whether it had a title-page; but I rather think not. I am in possession of two or three copies; I am disposed to think that any copy lent out had not the title-page.

2696. If it had not the title-page, how comes it that in a note of Britton and Brayley's work on Westminster Palace, there is to be found quoted, in a note, "Selections from the Miscellaneous Records recently printed by the Record Commissioners"?—I believe Mr. Brayley has been in communication with Mr. Cole, and that Mr. Cole gave him the facility for making searches at the Augmentation

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Office. If it turns out that the copy so lent to the party had no title-page, Mr. Cole must have communicated to Mr. Brayley what was the nature of the volume.

2697. That is supposing the book you lent to Mr. Brayley had not got that title-page?—I will not say whether it had or had not; but I can easily ascertain the fact from Mr. Brayley. The title-page was never worked off; it was shown to me by the printer, as having been put in type by Mr. Cole, for the work could not be published as a separate work. I ought to state that if the work had not the signature, "Appendix," to it, I should have been much disposed to recommend the suggestion of Mr. Protheroe, several times made, and to publish it as a separate work. The difficulty is, that it purports to be an appendix; and that circumstance prevents the publication of the work.

2698. In your return to Parliament you describe it as "Selections from the Miscellaneous Records of the Office of the King's Remembrancer of the Exchequer"?—I have so described it.

2699. But there is the title given to it, which you now disclaim?—Yes: but I added that these selections were intended to form an appendix to another work. I consider it an unfortunate circumstance that the signature is such as I have stated. I think it ought so to have been published as a separate work.

2700. Are not the names of the editors usually put in the margin?—Not in the margin, but in the title-page. I think that was seldom the usage of the old board; the usage of the new board is to put the names of editors on the title-page; and supposing that work had been published as a separate work, I would have proposed to the board that Mr. Cole's name should be put on the title-page.

2701. It seems a work of magnitude, and if there was any credit or responsibility, Mr. Cole ought to have had it?—Undoubtedly; it would not have been concealed from the board and the public, whether his name were in the title-page or not; but it could not appear in the title-page of an appendix to another work. There can be no disposition, on the part of either the board or myself, so far as I had any influence at the board, to deprive Mr. Cole of the honour of the selection or editorship of these records.

2702. What price did you pay Mr. Cole for editing this work?—I forget the rate of remuneration, but it was less than the rate of remuneration paid to other editors.

2703. Was it one guinea per sheet?—I think it was.

2704. Was the whole cost of editorship more than 100 guineas?—I think it was.

2705. For some octavo volumes containing less matter you paid 150 *l.*—That may be.

2706. Why was the difference made in payment?—Because it was not considered that Mr. Cole's literary character and reputation were such as to entitle him to the highest rate of remuneration. He was considered capable of collating a record, accurately, but not of editing an independent work.

2707. How do you mean "not capable of editing an independent work?" Were the materials submitted to any one before they were printed?—Mr. Cole selected them, and generally consulted me as to what he should print and transcribe. I do not recollect any occasion where I had not to approve of Mr. Cole's selection; but I doubt very much, with great respect to his abilities and learning, I doubt very much whether he would be able to edit such a work as the Pipe Roll or the Privy Council books. I think him capable of collating records and editing them.

2708. How long has this appendix been completed?—A year, at least.

2709. Why was it not published till now?—It never has been published.

2710. That is because it is waiting for the general report?—The reason is, that it is discontinued as an appendix.

2711. Then it is waiting for the work to which it is an appendix?—My proposal to the board would be to append it to the Acta or Proceedings of the board; that was my intention, the Agenda having been discontinued.

2712. Does is not appear that you have got into a very curious state of things? Here is a work, specifically a collation of the records as any other work you have published; it is not meant to be said of the same value or importance; it has no more connexion, as far as can be made out after all this examination, with the Agenda than any other work you have been publishing; now it is to appear as an appendix to a work, to which no one can perceive it has any connexion; and in consequence

consequence of such arrangement, you are obliged to print it without a title-page, and without the name of a responsible editor, and to keep it waiting the appearance of a work of which the speedy publication is not probable?—I feel the force of that observation; but, as I explained the other day, the kind of operation which is carried on by the board renders it requisite from time to time that specimens of the records in particular offices should be printed. If the Committee were to examine the bills of the King's printers, they would find very considerable charges from time to time for reports and other documents printed by Sir Francis Palgrave and other persons.

2713. The Committee understand this observation to apply to the specimens in the Agenda?—I consider that Mr. Cole was making a collection of records, the greater part of which was either of an extremely interesting kind, or of a kind never before published; and the work was intended to draw the attention of the board and of the public to the great mass of records in the King's Remembrancer's Office.

2714. You have a Parliament roll in it; was that printed as a specimen?—No; that was printed from the last motive I have stated, to convince the board (for the commissioners have not always been unanimous on every subject) of the great importance of those operations which were carried on in the King's Remembrancer's Office, the direction of which was principally confided to Mr. Cole. There was an apprehension that those documents did not possess the importance attached to them by Mr. Cole; my instructions to him were, "find the most curious of them, and I think they will convince every member of the board that your views are correct." Some of the documents printed in the Agenda are documents of that description; they were printed for the purpose of calling attention to the very curious nature of the King's Remembrancer's records. The Committee will recollect that the operation was a new one, and that, as the board had been in existence more than 30 years before Mr. Cole entered on these labours, some doubt might exist in the minds of the old members of that board whether it were proper to expend an increased sum of money on these records.

2715. How will that be any explanation of the publication of this work appearing as an appendix to a work with which it has no connexion; the evil seems as great?—I can only answer that question by stating the reasons which operated upon the board at the time: those reasons may or may not be satisfactory; but I can only state my belief that, according to the instructions which I had received from the board, and according to the general understanding of the parties and of the boards for the last 30 years, it was competent for us to print specimens of records for the use of the board. The specimens would have been lost unless they had been united in such a volume as that.

2716. Have they appeared before the board as specimens; all that are contained in that volume?—All that are contained in that volume have been printed for the use of the members of the board, and have been inspected by them at different times.

2717. Inspected by them in the sheets?—Yes.

2718. The Committee cannot understand you; were the specimens not seen by the persons whose judgment they were intended to guide?—I consider that volume is the cause and the justification of all the proceedings which have taken place with reference to the King's Remembrancer's records.

2719. If a commissioner states that he knows nothing of the book at all; that except by accident he was not aware of its existence; how comes it that he has not had those opportunities of seeing what must have been so important for him to see?—I cannot answer for what any commissioner may have said.

2720. The commissioners had, all of them, the specimens laid before them while it was going on?—The commissioners, of course, according to their greater or less degree of attendance at the board, and according to the interest which they may have taken in the proceedings of the board, and of their good or bad memory of our proceedings, will have a different knowledge of our transactions. It is difficult for any commissioner to bear in mind all that is in our commission books; I had forgotten a great part of it until the Committee compelled me to brush up my memory.

2721. You can generally say that there have been submitted to the members of the board specimens of the work that was doing under their auspices?—The work

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has been the frequent subject of conversation at the board, and has been mentioned by me as the justification of the increased expenditure which has taken place in the King's Remembrancer's department.

2722. Are the records kept so carelessly that when they have specimens of the work printed they rely merely on the mention of them to you?—I ought not to answer that question.

2723. You are making, you see, a great charge of carelessness against the board?—I consider that all those who have attended the board have performed their duty.

2723*. The Committee wish to know whether, the work being, as you say, specimens, whether they had an opportunity of seeing them?—All the commissioners have had the opportunity of seeing every work that is proceeding.

2724. What was the opportunity that was afforded?—The opportunity was afforded by the liberty which any commissioner had of asking for the production of any papers, documents, or books.

2725. But looking with reference to the specimens printed in the Agenda, is not the Agenda sent to every member of the board; therefore they get the specimens with the Agenda?—Yes; but sometimes the supplemental Agenda, containing the specimens, were formed after the meeting of the board.

2726. The specimens on which they had decided?—No decision had taken place.

2727. They got the specimens?—Yes.

2728. Have they, in the same manner, got the specimens contained in this work?—Decidedly not; the work is one continued work; they could not get the specimens till they got the Acta or the Agenda that were to precede them.

2729. There are three works here which appear to be translations of the commission into French, German and Portuguese; were those works published by the authority of the commission?—They are done under the general authority which the persons abroad had to further the objects of the commission.

2730. With what object were those works published?—For the purpose of making it known in France, Germany and Portugal, that the commissioners were desirous of collecting materials for the Fœdera, and for the History of Britain; from those countries we have made a large collection of transcripts relating to the early history of England.

2731. The next work was the Modus Tenendi Parliamentum?—That was printed originally as part of the Agenda.

2732. In folio?—Yes; the Agenda contain a fac-simile of a MS. of the Modus Tenendi Parliamentum, at Paris. I printed it on the statement of Sir Francis Palgrave that it never had been printed. I afterwards discovered, before it was worked off, that it had been printed in D'Achery's Spicilegium, a work very little known in this country. I did not think it worth while to print it in the Agenda; but, the expense having been incurred, I thought it well, before the type was broken up, to have 250 copies worked off in an octavo form.

2733. Are there not two manuscript copies of it in the British Museum?—More than that; there are manuscript copies in many of the public libraries; there are several in the French libraries, and one at Petersburgh.

2734. It seems to be a work pretty well known; it is mentioned in Reed's preface to Chaucer?—It is a curious and valuable tract. The Irish Modus Tenendi Parliamentum has been printed; but the English one has never been published here. It will be seen in one of Sir Francis Palgrave's reports, that one of the proposals was to print this Modus Tenendi Parliamentum.

2735. It appears to have been printed in D'Achery's work?—Yes, from a foreign manuscript.

2736. From what manuscript is this work printed?—At this moment I do not recollect; I think it was from the manuscript of Paris.

2737. What is the value of it?—As showing the ancient proceedings of our Parliaments. It was formerly supposed to be more ancient than the Conquest. You will find about it in Lord Coke's Institutes.

2738. It is considered now to be fictitious, is it not?—It is considered now to belong to the time of Edward the 2d. Its age has been contested between our antiquaries; and several pieces have been written upon the subject, though the work itself has never before been printed. The other pamphlets that have been mentioned could not have cost 20 *s.* printing.

2739. Which

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2739. Which?—The German one.

2740. The next work is the "Ancient Calendars and Inventories of the Treasury, vol. I.; the like, vol. II.; and the like, vol. III.;" what is this work?—The work, as I apprehend, is correctly described in the title-page.

2741. It is an ancient calendar of documents in the Chapter House?—Yes.

2742. Is it of any particular utility at this moment?—I am not precisely aware; Sir Francis Palgrave is the editor, and I would suggest to the Committee that it would be better to examine him upon these three volumes.

2743. You are not aware yourself of its having any utility as a calendar to the records at present?—Sir Francis Palgrave, the Committee are probably aware, carries on his operations under the direction of a committee. Lord Canterbury, the former Speaker, was an active member. Sir Francis Palgrave reports his proposed operations to that committee. Mr. Protheroe is a member of that committee, also Mr. Wynn and Mr. Petit, Mr. Justice Bosanquet and Mr. William Bruce.

2744. Do you know the expense of such a work?—I cannot state it from my recollection; I have not before me the King's printer's bills.

2745. Must it not bear a large proportion to that of other works of the same size, from the quantity of wood-cuts; that must add to the expense of printing a good deal?—Wood-cuts must, of course, increase the expense of printing. I believe the volumes to be very curious ones; and I think, as far as I have looked into them, well worthy of publication; but I have not read the whole of them.

2746. Now "Specimens of Catalogues," apparently, I should think, in the Augmentation Office, is it not?—Of records in the Augmentation Office and in the King's Remembrancer's Office.

2747. What do you mean by the words, "specimens of catalogues"?—It was originally intended that the catalogues themselves should be edited and printed under the direction of Mr. Cole; and I think in a former part of my examination I have stated that there was an order of the board made on the production of the letter of Mr. Cole, that these two calendars should be compiled and printed. The Committee is aware that in the month of August last, a short time before notice of motion was given for this Committee, these works were suspended, and they have continued suspended ever since; and my belief is that the present board will never direct their continuance, but will, as I have described in the return to Parliament, simply publish the catalogues as specimens.

2748. Then you published these as specimens of a work with which you do not intend to proceed?—They will not be sold as specimens, but published in order that they may not be lost. I do not know what the board will do, but that is the course which I should advise the board to take. I do not think it probable that the board, if it continues to exist, would direct the publication of these identical calendars.

2749. Why would it not?—I would rather that the Committee should not press me to answer that question.

2750. The Committee wish particularly to press you; this is an important matter, you see?—You find in no part of my evidence in this respect, that which would lead you to suppose so; if anything was said in the course of conversation, I have expunged it from my evidence.

2751. But it seems to be one of the most extraordinary items in the whole catalogue of works printed by the commission: first, why you print catalogues at all, instead of keeping them in manuscript, is difficult to make out; and, secondly, why you should print specimens of a work you do not mean to go on with?—With regard to the first, I must say that this Committee differs from the opinion of the Committee of the House of Commons in the year 1800, and from the opinions of all those persons who have been connected with the Record Board from 1800 to the present time; that is, to the sufficiency of a catalogue placed in the office. I have no doubt whatever that a catalogue of this description, to be generally useful—(it is not like a mere index to enable the keeper to refer to records)—should be published. But with regard to the reason why the board should discontinue the publication of these catalogues, which I stated were not originally intended as specimens, I am compelled to say that some other persons should be examined who are conversant with matters of this description.

2752. The Committee would rather you would tell them?—The cause is their

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inaccuracy; it has been discovered that the catalogues are inaccurate, and not worthy of publication.

2753. Still you print a specimen?—It is entitled a "Specimen" now, by reason that we cannot proceed further with it.

2754. Then you are giving the world a specimen of a work you cannot do?—It often happens you undertake a work with which you afterwards become dissatisfied. The question is, shall that be thrown away, or shall the money be lost? Many an author commences a work with a resolution of finishing it; not being able to finish it, he says "I will not lose my time and money altogether, but I will give to the antiquarian a specimen of what may be done."

2755. What may be done badly?—Yes, if you like.

2756. Do you mean to say that that is the way the Record Commission proceeds?—I do not mean to say that the Record Commission proceeds in that way.

2757. The Record Commission having done a good deal of work, finds out that it is badly done, and that it is work which ought not to be continued in the same manner, the whole mode of proceeding being bad; instead of doing what other persons would do, utterly effacing all vestige of a work of which it has reason to be ashamed, it goes to the further expense and trouble of printing and publishing it?—There is not a farthing of further expense.

2758. Is there no allowance to the bookseller for publication?—There is no allowance to the bookseller.

2759. Sir *Charles Lemon.*] The cost of the paper which you use?—The sheets are worked off.

2760. Mr. *C. Buller.*] Shall you send it to the public libraries?—It may go with another volume; and if the Committee think it worth while to inquire into any increase of expense by the additional weight of a parcel containing a few fly leaves of paper, we will endeavour to make a calculation.

2761. According to your own account you should have expended a good deal more in preventing its being seen by anybody?—My answer to that question is this, that I believe, from the nature of the publications which it is the duty of the board to produce, it is almost impossible ever to produce a work as accurate as an edition of a classic. We all know that the modern editions are more accurate than the ancient; and the repeated editions of a work published by the Record Commission would enable us to approach to perfection.

2762. This is not a matter of the mere character of printing: here is a work the whole merit of which depends on the plan, and it is done, according to your account, on a bad plan; you publish this to the world as a specimen of the work of the commission; at any rate you go on to circulate it when you have found out its defects?—My reply is, that it never has been published; there has been no circulation. The return to Parliament merely states an intention, as the secretary conceived there might be, supposing the work was discontinued, of simply presenting it as a specimen.

2763. It seems the return to Parliament is inaccurate?—It may be inaccurate, supposing the board should come to the decision of not publishing the sheets as specimens; they were laid before the board as specimens, and the board directed that the work should proceed.

2764. Did you print off seven sheets of this?—I do not know how many sheets there are altogether, but I take it there are very few consecutive sheets.

2765. Are there not eight consecutive sheets?—I am not aware; there is a different heading almost to each sheet; I may be wrong; now these are consecutive sheets, but I thought they were in the nature of specimens; that might have misled me in making my return to Parliament; they were laid before the board as specimens, and, as I before stated, there was an order made that the work should proceed, and it was approved of by the board.

2766. Now, do you generally print off seven or eight sheets of a work before you inquire as to the plan on which it is done, and the mode in which it is being done?—The plan was approved by the board. It cannot be expected that the board should accurately examine every one of the lines.

2767. Who is there to inspect the accuracy of works going on by the board?—The board can do no more than the bookseller. If I want a man to edit Æschylus, and cannot find a better man than Professor Gaisford; he may be very negligent in the performance of his duty, and the work may be badly edited.

2768. Now, no publisher would ever succeed in the world who managed his business in that way, allowing eight sheets of Æschylus to be published, and then taking

taking the trouble to see if it is accurately done?—It is impossible until a number of sheets are worked off; generally the volume itself appears before the publisher finds out that he has committed an error in his choice of an editor.

2769. You are taking the instance of a publisher without a classical education, as to what he might leave to the editor: here is a board originating the execution of a new work; is it not the duty of that board to see the work is proceeding on a good principle?—I apprehend the House of Commons and the House of Lords, when they projected Doomsday Book ——

2770. The House of Commons and the House of Lords, every one will acknowledge to be very unfit bodies for publishing works, and no human being would trust them with editing works; but explain how it was that the work went on to the eighth sheet, without not merely the inaccuracies of printing being discovered, but the defect in the arrangement?—I have not alleged any defects in the arrangement; I stated that it had been discovered to be inaccurate.

2771. You stated the plan was bad?—Some persons have cast a little doubt upon the plan, but I do not think there is much in that objection.

2772. Take the mere inaccuracy; could not that have been found out in a single sheet?—I apprehend the Committee will hardly expect that the Record Board should itself examine into the accuracy of any work by collating it with the records; it being notorious that there is not a single member of the Record Board, at least I have no reason to think so (I can speak for the secretary), who could accurately decipher the ancient rolls of the Tower.

2773. Now, did you not see the first specimens of the work?—I saw the specimens which were laid on the table of the board. I laid them on the table, and drew the attention of the board to them; and I strongly recommended the board to publish the calendars.

2774. Did you not speak of them in terms of praise?—Decidedly, and repeatedly since, until October last, when I was informed there were inaccuracies, not in the plan, but in the language and execution.

2775. What kind of inaccuracies?—Verbal inaccuracies, which showed an ignorance of the names of persons and places. Some such inaccuracies generally occur in the publications of the Record Board, and always may occur.

2776. On the 3d of June 1835 you state, in a note to Mr. Cole, "I have carefully examined specimens of the ancient records in the King's Remembrancer's Office, but before I give orders to," &c. Now, it would appear from that, that this inaccurate specimen of a catalogue, of which the defect was so great that when you got to the extent of eight sheets you stopped it ——?—That was not the reason for stopping it.

2777. Well, then, it was so inaccurate that you could not go on with it. Now it appears that there had been another and careful examination, and that it was actually to be sent to press?—The Committee very much misunderstands me and the circumstances under which I accepted the office of secretary, if it is supposes that I ever held out that I myself possessed any knowledge of the ancient records. I believe it was the circumstance that I did not possess a knowledge of the ancient records that induced the board to force upon me (for Lord Brougham forced upon me) the office of secretary, rather than upon a record man; I was appointed for the purpose of checking the zeal of those lovers of ancient records.

2778. The Committee are alluding to this calendar?—I was going to state it was quite out of my power to ascertain the accuracy of the calendar, by collation of any passages of it with the original records. I liked the plan, and do not find fault with it; there are one or two verbal inaccuracies, the nature of which I certainly understand.

2779. Considering that Mr. Cole had the least extensive literary reputation of the editors, that the diminished proportion of reputation in his case, if estimated by the amount of guineas paid for editorship, must have been considerable, and that this was the first work he had undertaken to edit, would it not have been the course for a prudent man in your situation, to submit the first specimen to persons competent to decide on its accuracy?—I show the specimens only as to the plan; but it never struck me that it was necessary to do more than take an opinion on the plan; Mr. Cole having been so long in the employ of the board, and being supposed to be an accurate transcriber and collator of records.

2780. It seems you had some strong instances in this Commission of the

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inaccuracy of editors, who had been a very long time in the employ of the board?—I can speak to nothing of what happened before I was appointed secretary.

2781. For instance, you mentioned the other day the names of Devon and Webster?—Mr. Charles Devon? I am not aware he was in the employ of the former board.

2782. You see, up to this time, Mr. Cole had the reputation of being a very accurate transcriber, and you considered him so competent a person, that you did not even take an opinion as to the accuracy of his execution; when and by whom did you get knowledge of the inaccuracy of the execution?—I should state, before I answer the latter part of the question, that it never entered into my head to call in any person to pass a judgment on the accuracy of Mr. Cole's transcription; I then supposed that no person was more accurate in that line. But with regard to the latter part of the question, Mr. Hunter first of all told me that there were inaccuracies in the catalogue.

2783. When?—I think it was either in September or October. Mr. Hunter will in all probability be able to answer that.

2784. Did Mr. Hunter point out to you the inaccuracies?—He pointed out several of them. I have a paper on the subject of the inaccuracies, but I would rather not refer to it myself.

2785. On this report of Mr. Hunter, you immediately suspected Mr. Cole must have been wrong, in spite of what you formerly thought of him, and that the work should be suspended?—The work had been previously suspended; the sheets were produced by way of specimen, and I perhaps may have been inaccurate in my return to Parliament in describing them as "specimens," for the sheets were actually worked off; at least there are more sheets worked off than were absolutely necessary for specimens.

2786. Did you show these to Mr. Hardy or to Mr. Stevenson, or any other persons in the employ of the board, as specimens approved of by the board?—As the work was suspended, and as there has been no question lately as to resuming the work, I have taken no other opinion on them, except the opinion of Mr. Hunter.

2787. Did you never show them to Mr. Hardy or to Mr. Stevenson, speaking of them in terms of approbation?—I think it very likely; I feel almost confident I did to Mr. Stevenson; I spoke of them in terms of high eulogy, and very probably to Mr. Hardy; I thought them works likely to do great credit to the board. I so spoke of them to Mr. Cole.

2788. It seems, from your own account, that you have somewhat altered the high opinion you had of that individual, and of which you had given such substantial and repeated proofs?—I have not altered my opinion; I do not judge of the facts. I should be sorry to condemn the calendar merely on account of one or two inaccuracies of which I may judge myself: of the other inaccuracies I cannot judge; I have not made a collation of them, nor am I capable of doing so.

2789. Yet you state to the board that that was the cause of your not wishing to go on with them?—If those inaccuracies exist, it is the duty of the commission to decline going on with the calendar.

2790. If you are not sure of the existence of those inaccuracies, you would not give to the Committee a judgment which must be injurious to the editor?—I stated my great unwillingness to answer these questions, but the Committee has forced me to answer them.

2791. Why did you not state then, at first, that you had this good opinion of Mr. Cole's accuracy, and that only one person (however competent), namely, Mr. Hunter, had expressed a contrary opinion? for it seems that is all it amounts to; it hardly seems to be your own decided opinion that the works are inaccurate to any extent?—My opinion is formed from those two or three instances that the catalogues are incorrect, for they are instances of which I can judge for myself. It may be probable that those inaccuracies may have arisen from some pardonable oversight. I am not aware that the latter part of my examination is inconsistent with the former. I know in my own mind that it is not inconsistent. I only mean to state, that my judgment of the inaccuracy of the calendar is founded on two or three instances of which I can judge, and in a paper which has been given to me by Mr. Hunter, are instances which I will not pretend to decide upon.

2792. The next work to which the Committee beg your attention is "The Liberate Rolls, the Charter Rolls and the Gascon Rolls;" these are edited by Mr. Hardy, and, as you say, conferred such glory on Parliament; these are the first works which

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which the commission have suspended?—The prosecution of those works was suspended last August, for reasons which I have already stated.

2793. The next work is "Materials for the History of Britain;" the Committee wish to ask you one question on that: is it suspended?—Yes; and, in fact, after a communication with the Treasury, the editorship has been taken away from Mr. Petrie.

2794. "Observations on the Calendar of the Proceedings in Chancery"?—That is a pamphlet.

2795. This work is printed with your name in the prefatory letter; is it by yourself?—It is not.

2796. By whom is it?—I was requested by Mr. Bellenden Ker and Mr. William Brougham to draw up observations, principally on the Parliamentary Writs; and I stated my inability to do more than contribute remarks. The observations were put together by Sir Harris Nicolas. We considered them rather too pugnacious; and they were modified by me. I state this, because I consider myself bound to do so; it is a sort of literary secret, but I rather think that it is not unknown to some of the parties most concerned. Sir Francis Palgrave alludes to it in his reply.

2797. In a catalogue in the British Museum this is mentioned as your work; that is the case with most of the works bearing your name?—I do not know that it is mentioned as my work.

2798. Was the work given to the commissioners alone, or was it distributed among the public?—I ought to state, in answer to the evidence of one of the witnesses, that certainly they were not distributed among the public. They were not sold; I think 50 copies were printed off, or thereabouts, and after the discussion was over, copies were given to those persons who were curious to possess them. One of the witnesses has stated his surprise that any copy should have reached the British Museum. I can only say as to that witness, that at his own particular request he had several copies to give away, and I know to whom he gave them.

2799. Did he give one to Mr. Charles Hughes of Ross?—I do not know.

2800. Do you know that Mr. Hughes sent a present of this work to the British Museum, and when they wrote to thank him, the report from the post-office was that no such person was known at Ross?—My opinion is (and therein I differ from Sir Robert Inglis), that the British Museum ought to possess copies of all documents printed at the public expense. When the discussion terminated, which rendered it desirable that documents so printed at the public expense should be confined to the use of the board, I presented that very volume, in the name of Charles Hughes of Ross, to the British Museum; it was shown to me by Mr. Forshall, together with the letter that was returned to the post-office. He must have gathered from the smile on my countenance that the volume came from me.

2801. What was the object of that?—I did not wish it to appear that I presented the volume in my own name, though I have given many hundreds of books to the Museum; however, my object has been totally defeated; for I understand, in the printed list of donations published, that there is not only Charles Hughes of Ross, but there is myself, at least I suppose so from Mr. Protheroe's evidence; my name is down, though only that copy was given.

2802. Your only motive for the concealment was modesty?—Being secretary to the board, I thought it desirable to give it either anonymously or in a fictitious name.

2803. Had you got the consent of the Record Board to give copies of a work to an institution reflecting on persons in their employ?—Considering that the pamphlets were current in the literary world, I thought that one public institution should be in possession of a copy.

2804. Do you think the board would have authorized you?—I take the blame.

2805. Without the authority of the board you gave a copy to a public library?—Yes; and unless I were restrained from doing so, I should do the same thing to-morrow.

2806. You think the board would not have consented that you should give that pamphlet?—As secretary to the board, and assisting in compiling it, I had a copy, and so I presented it to the British Museum. I may be wrong to follow the usage of Mr. Caley, the keeper of former papers, which have been communicated to individuals not belonging to the board as matters of literary curiosity.

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2807. But do you not think that the commissioners would have been particularly averse to their secretary giving copies of such works as these to public libraries?—Some of them perhaps, but not all.

2808. Then by using Charles Hughes's name you avoided all collision with them on the subject?—That was the object. I presented a copy of the Agenda to the British Museum without consulting the board. I know Sir Robert Inglis condemns it; he told me that he differed from me in opinion as to the presentation of any other works to the British Museum. I should state one of my reasons for doing it was, I found in my labours, as secretary to the Record Board, very great inconvenience from want of papers printed in Rymer's time, a century ago; no copies are to be found anywhere; and I was desirous that there should be a record of our proceedings there, good or bad.

2809. The next work is "A Report of the Committee on Mr. Bayley's Bills in Chancery"?—That I did not present to the British Museum; it is a matter of character; it involves his character for honesty.

2810. Did you authorize the printing in this typography?—It was directed by the board.

2811. The board originated this peculiar style of typography?—In the title-page?

2812. The names of the commissioners being printed in red ink.—The design was, that whenever a copy was in the hands of a stranger, the owner's name should appear; it was suggested at the board, in order to prevent any commissioner from lending it indiscriminately.

2813. Is it usual, in papers merely printed for the temporary purposes of the board, to print with such handsome margins and fine paper?—I think it has been printed with too wide a margin; and with regard to the paper, I do not know that there is any difference; it is not usual for the board to do so. I think that it is printed with too much luxury; but at the same time, I doubt whether there is any additional cost. The great objection is the appearance of it; for, considering the subject, it had much better be distinctly in that form; there is no difference in the expense; I venture to say that there is not a difference of 10 *s.* in the expense.

2814. It is thick paper?—There are only 25 copies; can you show a difference of 2 *s.* in the price of the paper?

2815. What is alluded to is the excessive large margins?—The objection is, that such a subject appears in such a dress; but there is no additional expense, in my judgment, (and I could demonstrate it by the printer's bill,) except from the peculiar way in which the title-page is done.

2816. But if a book has such a large margin as this, is it not obvious that twice the quantity of paper must have been used than ought to have been used?—If it had been printed on small-sized paper, the quantity of type would have been precisely the same as it is now; the difference of printing that work would be that the paper cost somewhat more, and as only 25 copies have been printed, I apprehend the additional cost would not amount to 2 *s.*; at the same time, I ought to state that it was very bad taste, and I blame myself for suffering the paper to have been of so large a size. I happened to be at Dover, when the work was finished and sent down to me, and I did not notice till afterward that it was in such a luxurious and magnificent form. As a matter of taste, I was ashamed of it when I left it before the board.

2817. The next is on "The Office of Secretary," holden by yourself: there is a letter of Mr. Caley quoted in it, in which he describes the proceedings of the old commission; the orders and minutes were never signed by the commissioners, he says?—That is so.

2818. He complains of the very limited time that the Speaker, as chairman, had the power of allotting to the duties of the board, which, for that reason, could seldom meet for more than two hours at a sitting; the difficulty of collecting together a sufficient number of commissioners to make a board, most of them being persons of high rank and important official station: you state yourself, substitute the Lord Chancellor for the Speaker, and my course does not differ from that pursued by Mr. Caley, except as to the reading of the minutes; you state that our meetings have been even of shorter duration than those of the former commissioners, for I do not recollect one that has lasted two hours; and you state that much of that time has been wasted in discussing applications on the part of librarians and individuals; you state at the end, that after a lapse of 14 months, since you have been in the office, an attendance at a single board must have furnished

nished ample proof that it was not there that the details of the business of the commission were transacted. Now are these opinions about the constitution of the commission opinions which you still hold?—The opinions which I hold respecting the constitution of the commission are, that it was never meant or intended that the detail of business should be transacted at the board: the board lays down certain general rules and principles, upon which its business is transacted. I hold that the minutes of the board ought to afford the foundation for everything. It cannot be expected, looking at the peculiar nature of the task which has devolved on the board, that the board itself should be able to go into the details of business; for instance, to examine the publications with the records, and thereby ascertain their accuracy. The board gives its order; it is for the secretary and some commissioners to act on those rules and principles.

2819. Now there is a pamphlet with "Remarks on a Reply of Francis Palgrave, Esq.;" is that by you?—That was by Sir Harris Nicolas. I think that underwent a smaller alteration than the other; the other was considered to be pugnacious, and was altered.

2820. In what manner have the record volumes been distributed to the different public libraries at home and abroad?—The former board distributed, in the first instance, about 200 copies. I have a list of the libraries to which 122 of those copies were distributed, about the year 1810, under some direction of the House of Commons. The 78 copies remaining out of these 200, were kept for the use of the commissioners, sub-commissioners and others. Parliament directed the sale of the surplus copies; but it appearing that for 10 years no greater sum than 3,354*l.* 9*s.* 6*d.* was produced by the sale of the works, the House of Commons, in March 1822, came to a resolution that they should no longer be sold, and it was recommended that there should be an additional distribution; and in consequence of a resolution of the House of Commons, another distribution of 145 took place. There then was a further distribution, also in consequence of some recommendation of the House of Commons; and in March 1831 a very considerable further distribution took place. At present the publications of the board are given to more than 500 libraries; there are more than 100 abroad to which they are given. The former board gave comparatively but few of their publications to subscription libraries: but the present board has given them liberally to such libraries, whenever there could be ascertained a prospect of permanence. There was an application made from Liskeard; the Cornwall library at Truro has them. Mr. Tooke has made some application.

2821. Sir *C. Lemon.*] What publications?—The publications of the Record Board are sent to 400 libraries in England, Ireland and Scotland; likewise to 60 in America, where the distribution of them has been so productive of kind feelings towards this country, that the Duke of Wellington thought it might have some good effect on the Canadas, and from the Foreign Office they sent out several sets; but it turned out that two or three of them were out of print, and the Canadians were in a great rage to find that the Americans had got more of them than themselves. In France they have been liberally distributed, and I am happy to say that I do not agree with what has been said elsewhere, that they reflect discredit on the country, but the contrary. To Berlin, Munich, Copenhagen and all parts of the continent they have been sent; and by making known the course pursued by Parliament for publication of our historical documents, they have given rise in several parts of the continent to record commissions, as in France and Belgium. In my return to Parliament in the year 1833, I have said that the value of the books then distributed was 35,000*l.* I think the value now is more than doubled, at the bookseller's price. I do not mean to say that this price would be the remuneration to any bookseller whatever for the expense. I have accounts of the distribution.

2822. Do you mean, then, that the value of books distributed since the present commission has been in existence has been 70,000*l.*?—The value of those distributed up to 1831 (I do not know in what proportion), balanced to the present period, was 35,000*l.*, calculated according to the selling price of the books. The value of those distributed since I should say was 35,000*l.*, and the value of the stock in hand must be 9,000*l.* or 10,000*l.*; so that the public has gained something for the money which has been expended.

2823. You do not mean if this had been the work of the new commission. Being so distributed, it would have distributed twice the value they have received? —I am speaking of the value of the profits of the old board.

 2824. Then

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2824. Then the commission appears to have cost the country 500,000 *l.*, and there is only 80,000 *l.* to show for it?—I do not think the Record Commission has cost the country anything like the sum of 500,000 *l.* I do not think it has cost the country a sum exceeding 350,000 *l.*; and when it is stated that the Record Commission has cost the country that sum of money, it should be borne in mind that the commission has paid out of its funds expenses that must necessarily have been borne by other departments. I consider that the Record Commission has cost little more than 500 *l.* a year. I say that the Statutes must have been printed at the expense of the House of Commons; that the Harleian Catalogue and the Statutes must have cost more than 100,000 *l.*, judging from the expense of Doomsday Book, which cost 15,000 *l.* The Harleian Catalogue ought to have been published out of the funds of the British Museum; the Cottonian and the Lansdowne from the same. The Calendars in Chancery ought to have been defrayed out of the Suitors' Fund in Chancery. My statement is this, and the Committee will not, I am satisfied, be desirous of misrepresenting by their questions what my meaning is. It is very accurate to state that a sum of 350,000 *l.* has been devoted by Parliament to the service of the Record Board; but supposing that the Record Board had not existed, would that 350,000 *l.* have been saved? I say not; but that if the Record Board had not existed, Parliament must still have published the Statutes, and must have paid for them; the British Museum must have published the Lansdowne, the Cottonian, and the Harleian Catalogues; and in that way, though it is true the Record Commission has spent 350,000 *l.*, yet it is not true to represent that the 350,000 *l.* would have been saved to the public, supposing that the Record Commission had never existed.

2825. You are applying your answer to a thing to which it has no application; you said the Record Commission has given away works of such a value. Taking it precisely at the sum you mentioned, it amounts to 70,000 *l.* worth of work: they have spent, according to your account, 350,000 *l.* Then, according to your own account, the value of the work to be shown, which you voluntarily put forward against the amount received by the commission, appears to be only one-fifth part of it; that does not seem to be so large a proportion to bring forward as the subject of eulogium for the commission?—It would be very bad taste, and I should be unwilling to bestow any praise either upon the old board or upon the new. My observation was this, that a part, only a part, of the operations of the Record Commission has consisted in the publication of certain volumes; a very considerable portion of the expense has been devoted to other objects in our name; but with regard to the volumes, certain prices were (with the approbation of Parliament and of the Treasury) fixed upon them, and they have been sold at certain prices, but not at what would have been remunerating prices to the booksellers. Well, then, looking at those prices, and taking an account of the number of volumes that have been given away, I find that they come to about 60,000 *l.* or 70,000 *l.*

2826. £. 65,000 was mentioned; it ought to have been 75,000 *l.*?—You will allow me to collect from your calculation what was the correct amount.

2827. Then it appears, according to your own statement, the only sum it is fair to charge the Record Commission with having received from the public is 350,000 *l.* since its foundation in 1800?—There were no account-books belonging to the old board; soon after I was appointed secretary I used every possible endeavour to get at the expenditure.

2828. Could it not be made out by the votes in Parliament?—I am convinced it could not.

2829. There is a list of the votes of Parliament for every year since 1800?—If you were only to take it from those votes, the sum would appear smaller than what I have mentioned.

2830. Is the sum smaller than you mention?—Much smaller, if you take it from such data.

2831. At any rate, you think the Record Commission has expended 350,000 *l.* since 1800?—Yes; including the warrants which have from time to time been paid at the Treasury. As I imagine, either those warrants, or some of the booksellers' bills for England and Scotland, have been paid out of civil contingencies; for the sums do not appear from the Appropriation Acts: you cannot make out from them the whole expenditure of the Record Board. I find, that, beside the sums mentioned in the Appropriation Acts, other large sums have been paid at the Treasury

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on warrants of the board; which sums (as I imagine) were charged to civil contingencies. Having obtained copies of warrants, and those of the King's printers' bills in England and Scotland, I apprehend that I am in possession of materials for stating the exact amount of monies that were applied for the service of the old Record Board. When I was appointed secretary there was a new system adopted, which made it impossible to conceal the real amount from Parliament.

2832. You think it has cost about 350,000 *l.*?—Possibly; the books could never have produced half that sum at the prices fixed, if they had been disposed of by way of sale.

2833. You have forgotten your answer before; for when you first made this statement, you added this comment at the end: "so that the public have gained something for the money which has been expended"?—Yes, something.

2834. What is that something; does it appear to have been one-fifth of what has been expended?—Supposing no selling price had been paid upon the books.

2835. Taking your own statement ——?—I do not follow you.

2836. Then, taking your own "something,"—you have volunteered the figures yourself,—say 350,000 *l.* was received by the old commission, 30,000 *l.* by the present commission, and you have 8,000 *l.* or 9,000 *l.* worth in hand; then observing, or rather getting an explanation of your comment of the value which the public have received for the money it has paid to the commission, the Committee only wish it to appear in the evidence that the value is one-fifth of what has been expended; and as you have called the attention of the Committee to the proportions, they wish to have them accurately stated?—The value, according to the booksellers' prices, is as I have stated. The real value is the actual cost of the works; the actual value which the public has is the money which the works have cost. With regard to those of the old board, they might, I think, have been edited cheaper. As to the works of the new board, I do not think that any one could have been produced at a smaller rate. The selling prices are not the real value; the public gets the whole value of the publication.

2837. It would seem, from your account, that the board has carried on the printing of ancient records almost exclusively, instead of the other plan, which seems to have been equally enjoined by the commission, that of transcription; what is the reason for this preference of printing?—I am glad that this question has been put to me, because my original notion was that in many instances transcription might answer the same purpose as printing. Now transcription is obviously more economical; and it answers almost as well the purpose of preservation, for it is not likely that both the copy and the original will be destroyed at the same time. But when I recollected that many of the principal students of history, especially antiquaries and topographers, reside at a distance from London, as Mr. Raine in Durham, Sir Richard Hoare in Wiltshire, and Mr. Baker in Northamptonshire, I was persuaded that for this very numerous class transcription would not be sufficient. Another circumstance is, the British Museum is not always open; it considerably interferes with the pursuits of persons engaged in the prosecution of antiquarian studies, to be obliged to go to the British Museum in the morning. It is not open at night, which is the period when students are principally engaged. For these and other reasons, which are stated much better than I can state them in a letter addressed by Mr. Hunter to me, on the 18th of April 1836, (he goes much at length into the subject, and I have adopted his views and notions, after many conversations with him,) I think that transcription would not answer the same purpose as printing with regard to the most important records; in some instances, however, it might answer the same purpose.

2838. Would not transcription always be quite sufficient in cases where the record was one which would rarely be referred to, and which it would be well worth the while of an author to visit London for the purpose of inspecting, among other business which might bring him to town?—In such a case as this I hold that transcription may answer the purpose; but I think such cases are comparatively few.

2839. Do you not think that transcription would have answered as regarded the catalogues and inventories of Sir Francis Palgrave?—I think not.

2840. You think that those are works which the scholar in Northumberland or Devonshire would not think it worth his while to come to London about?—I think those are works which should be in the library of the antiquary. But I would suggest that this question were better put to Sir Francis Palgrave. Another

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reason, which is also mentioned in this letter of Mr. Hunter, is, when we recollect the numerous transcripts that were made in the 16th and 17th centuries by Sir Symonds D'Ewes, Dodsworth, and other antiquaries; and when we consider the little benefit that has been derived from the transcripts, in comparison of the publications of the old commission; (the publication of Doomsday, for instance, or that of the Rolls of Parliament, which existed before the old commission;) looking at these circumstances, I pronounced rather a hasty opinion when I stated what I did in the preface of that work. Now as to printing, take the Norman Rolls, the Gascon Rolls; these would be interesting to our neighbours in France, whereas a transcript would be of no use; and we generally find, that, though transcripts may have been made in every country in Europe, they are for eventual publication. The French government is now occupying itself in publishing, or in selecting for publication, those documents which were transcribed in the middle of the last century by Brequigny, in the Tower of London. I quite agree with the suggestion of the Chairman of this Committee, that when the document is one to which persons but rarely have occasion to refer, transcription may answer the purpose; for a topographer generally visits London once or twice during the compilation of his work. In such a case the transcripts in the British Museum might answer the same purpose. Such transcripts ought to be placed in the British Museum, and not in a record office; because it is more convenient to consult them in that library, there being ample opportunity and accommodation for study.

2841. You object to the British Museum that it is not open at night?—Every one must confess the inconvenience of that. I should be glad to see some arrangement made under which the British Museum should be longer open to the public; as a public matter I think that the reading part of the public (many of whom are so engaged in the morning that they are unable to go) should have access to that library in the evening. If I were occupied in a public office from 10 to 4 o'clock, I should have no opportunity of going to the British Museum; for in the holidays the Museum is shut, and the only time when I could go would be in the evening.

2842. You were being examined the other day with reference to a proposal made to make certain of the records printed by the board evidence in courts of law; one of these was the Testa de Neville?—I am not aware of there being any inaccuracies in that work; in another work it is stated there are 120 mistakes in 20 lines.

2843. That word "mistakes" had been corrected before; the word ought to be "variations." The case about the Testa de Neville is this, that the Testa de Neville are abstracted from rolls?—In this publication it says, "there were 120 variations from the original roll in 22 lines." Then come the words "hear, hear."

2844. That is the statement; is that inaccurate?—It is inaccurate; it was not the fault of the person who stated it, but it arose from the inaccurate information which had been obtained. The Testa de Neville, or Liber Feodorum, was compiled from certain returns which had been made by commissioners and officers. Some of the original rolls or returns from which this book of feods was compiled are in existence; and the Testa de Neville being compiled from those returns, of course does not exactly correspond with them. In many places it is less full than the return: it is an abstract or compilation made at an early period. I am sure the Committee will understand at once, when I remind them that Doomsday Book was compiled in that way.

2845. Do you mean that these are merely observations on the Testa de Neville?—Whoever furnished that information to the honourable and learned Chairman who made that statement, I am not surprised he should make it. This person has compared the printed book with the returns, instead of the Testa de Neville itself.

2846. That was stated?—No, it was not.

2847. You must not take that pamphlet you have in your hand as the authentic report; the distinction is perfectly well understood. It was stated the only thing which could be valued as an authentic source of information was the original return; that the original return had been compared with the printed book, and that there were variations which were not attributed to the inaccuracies of the transcripts of Testa de Neville, but to the inaccuracies of Neville himself. It was suggested the impropriety of their projecting that work, and much more as to the impropriety

priety of making that work evidence in courts of justice?—The Testa de Neville has always been received as evidence in courts of justice; it is in the nature of a record; it has always been considered, like Doomsday Book, as a work of the greatest authority; and I cannot doubt for a moment the propriety of projecting it. I think the old board exercised a sound judgment indeed in printing it, without reference at all to the returns. It is precisely of the same nature as the Valor Ecclesiasticus.

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2848. Are you sure that the Testa de Neville has any more authority than that of one chief justice?—I think it will be found through the whole of our legal history, from the time the Testa de Neville was compiled down to a very recent date, that the Testa de Neville has been always held to be a compilation of the greatest value.

2849. So are many old books; so are the Year Books; but no one would quote them in matters of detail. Unless you show the Testa de Neville is a book which has the authority of a record, you make it nothing in favour of a proposal for making it a record if there were more accurate sources of information existing. But in your own work there are to be found these passages; it is an extract from the Quarterly Review:—"The Testa de Neville is sometimes known by the name of Liber Feodorum, and contains an abstract made, as it is conjectured, either by Ralph Neville, an accountant of the Exchequer in the reign of Henry 3, or by Joannes de Neville, a justice itinerant of the same period; and it is extremely valuable as giving a condensed and accurate view of the feodalty of the 13th century, though, as it was intended merely as a book of general evidence for the use of the contemporaries of the compilers, many notices which would have been most instructive to after times were necessarily omitted." Then it is stated in the next passage, "It seems the Testa de Neville was not deemed a record, in the legal sense of the word, in the 14th century." Again, in the text you quote Liber Feodorum, &c. &c.; the words "evidence" and "record" do not seem to be used very accurately in any of these passages; but it would seem from all of them that this work never had the authority of a record?—I quite agree in stating it never had the authority of a record; it is a transcript, but it is a transcript made more than 500 years ago. It has been treasured in the Exchequer, and used as a corpus of the feodalty in the time of Edward the First.

2850. Then, as far as any rights were affected by this work, they would be destroyed by such a mode of proceeding?—I do not agree with the proposal that any of the printed publications of the board should be made legal evidence.

2851. Do you know anything of the Liber Hiberniæ?—No, that except in the year 1831 it was referred to the Record Board from the Treasury to inquire into that work, and a committee was appointed for the purpose, consisting of Mr. Justice Bosanquet, Sir Robert Inglis, Mr. William Brougham, Mr. Petit, Mr. Hallam and Mr. Bellenden Ker. They made a report, which is not among the publications of the present board: I forwarded the original report to the Treasury.

2852. Some of the editors are remunerated by salary and some by piece-work?—Some by salary and some by the volume.

2853. On what principle is the distinction made?—Those editors are remunerated by salary who are also sub-commissioners. Sir Francis Palgrave and Mr. Hunter are remunerated by salaries, Sir Harris Nicolas and Mr. Hardy by the volume or sheet.

2854. And all the others by the piece, are they not?—Not all: Mr. Black has a salary. Mr. Hardy and Sir Harris Nicolas are remunerated by the volume or by the sheet; when it is a folio volume, by the sheet; when an octavo volume, by the volume.

2855. By whom is the remuneration fixed?—The remuneration of Sir Francis Palgrave, as I stated on a former occasion, was fixed by an express vote of the board; the remuneration of Mr. Hunter was not fixed by any vote of the board.

2856. How was it fixed then?—The remuneration of Mr. Hunter has been fixed with the knowledge of the board, and upon principles recognized by the board. When Mr. Hunter was engaged in the first instance, he was to have 300*l.* for the first year, on the understanding that he would edit as much as would amount to two octavo volumes, which would be 150*l.* per volume. It so turned out that Mr. Hunter did more than was equal to two octavo volumes; and with the knowledge of the board and the auditors, his ultimate remuneration was brought up to what

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the board considered to be the extent of any individual remuneration under the board, with the exception of Sir Francis Palgrave.

2857. With the exception Sir F. Palgrave?—Yes; the board has consented that the highest rate of remuneration, with that exception, ought to be as much as would produce three octavo volumes in the course of the year, 450*l.* What I am stating now has been repeatedly the subject of conversation, as well at the board as by individuals. Mr. Hunter's remuneration is the highest remuneration after Sir Francis Palgrave's, that is equal to three octavo volumes. It was supposed, and in fact Sir Harris Nicolas has shown, that no person was likely to produce more than three octavo volumes in the course of the year. Sir Harris Nicolas worked very hard a year or two, and even now he has not finished his seventh volume; the sixth is on the point of being completed. In 1833, 1834, and 1835, in three years, he has only produced seven volumes; that is the principle on which the board has acted. Now, as to the remuneration of two other editors, whose names I mentioned on a former occasion, Mr. Owen and Mr. Thorpe; one is engaged in editing the Anglo-Saxon laws, the other the Welsh laws. There being no principle on which the remuneration could be ascertained without going to the board, the rate of their remuneration was fixed by the board:—a sum of 600*l.* to Mr. Thorpe, of which 400*l.* was to be paid quarterly, in payments of 50*l.*, until the 400*l.* should be paid, the other 200*l.* was to be paid when the work was produced; and a similar arrangement was made with Mr. Owen. Thus whenever there has been a difficulty as to the rate of remuneration, in cases where the principle has not been laid down by the board, I have had recourse to the board. Now, with regard to the remuneration of clerks and other persons, that has been fixed by me, subject to the approbation of the auditors.

2858. When Mr. Cole was first engaged, was his salary of 150*l.* fixed by you?—Yes. He had formerly been clerk to Sir Francis Palgrave; his salary as clerk was fixed Sir Francis Palgrave.

2859. What salary does Sir Francis Palgrave receive?—He receives from the Treasury, under the Treasury minute (of which the Committee has a copy), rather less I apprehend than 400*l.*, and rather more therefore than 600*l.* from the board.

2860. The Treasury minute refers to his salary as keeper of the Chapter-house?—No; it refers to his employment under the Record Board. The Treasury constitution applies solely to his salary as keeper of the Chapter-house records; but at my suggestion, Lord Grey, as I stated on a former occasion, in my interview with that nobleman, arranged that the 400*l.* should go in reduction of the salary; and therefore the remuneration to Sir Francis Palgrave from the funds of the board, and the Chapter-house remuneration, being taken together, make the sum of 1,000*l.*

2861. Before that minute, did Sir Francis receive 1,000*l.* per annum?—Yes; which, as I stated before, some of the members of the board considered too much. The general feeling of the board is, notwithstanding the excessive remuneration given to former editors, 450*l.* is as much as a literary man ought to receive; but Sir Francis Palgrave receives more. I do not mean to say that it is the opinion of all the members.

2862. It has been so managed that Sir Francis Palgrave always received 1,000*l.* a year?—Yes; during the first year in which I was secretary, rather more.

2863. Thirteen hundred or fourteen hundred, was it not?—A great struggle was made for his salary to be 1,200*l.*; if it was 1,200*l.* he agreed to give up all other employment. Lord Brougham suggested it would be better for him to take 1,000*l.*, and that he should be at liberty to occupy himself with other matters.

2864. Will you let the Committee know the nature of the occasional occupations of Sir Francis Palgrave; what is the nature of the work he does for his 1,000*l.* a year, and how many hours does he work?—To the committee that was appointed to superintend his operations, he reports the number of hours employed at the Chapter-house. I can state what his other occupations are from general report; he was a municipal corporation commissioner.

2865. But how many hours is he expected to work for the commission?—The understanding between Sir Francis Palgrave and myself, as representing the board, was, that he should produce as much per annum as was worth the 600*l.* which he receives from the board, calculated at the rate of 150*l.* for an octavo volume.

2866. Has

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2866. Has he produced four octavo volumes a year, then?—I think he ought.

2867. But has he?—I am not aware; I do not think he has.

2868. How much has he produced of it?—I consider those volumes which are nearly completed as being completed; I think there are five volumes.

2869. Is that the average size of one of the octavo volumes?—I think not. I consider that, according to the understanding, it is not a positive engagement that he was to produce as much as, if calculated after the rate of 150*l.* an octavo volume, as would be worth 600*l.*

2870. (*Producing a book.*) Here is a book of 299 pages; surely one of Sir Harris Nicolas' Privy Council Books is double the thickness of this?—I can only answer for the two volumes of the Rolls of the Curia Regis, which have been actually published. Considering the extreme difficulty of editing them, I should admit that those two volumes are worth three; but as to what is in the press I know nothing; I do not know what progress he may have made towards the completion of another volume.

2871. Can you estimate at all the difficulty of these; is there as much difficulty or not?—Not so much as in the Rolls of the Curia Regis.

2872. Is the book more than half the size of one of the Privy Council Books?—Yes; this is difficult enough to edit; it is more difficult to edit than the books of the Privy Council.

2873. How many of these volumes has he published?—Only two of these volumes; he has three in the press.

2874. That is five in how long?—The date of the order is there; in the extract of the minutes of the board it will be stated.

2875. This commenced the 9th of March 1833?—Yes, the 9th of March 1833.

2876. Three years ago?—Yes.

2877. During that time Sir Francis has produced five volumes, taking in those which are in the press?—Yes; he has finished the volume of the Parliamentary Writs; I had forgotten that.

2878. That makes six?—That is the large folio volume; I cannot allow him credit for the whole of that, for that would be a great deal too much.

2879. What would you allow him for the Parliamentary Writs?—He had brought that down to the letter S at the time when the present commission issued. I doubt very much whether anything more was done in the Parliamentary Writs, after March 1833, than what would be equal to one octavo volume.

2880. Then you make out Sir Francis has done six octavo volumes since this engagement with him?—Yes.

2881. According to your statement just now, he ought to have done 12?—He ought to have done nine.

2882. Twelve, according to your own account?—Yes, but two of them I call three, according to his statement, they being exceedingly difficult; then, I say, call them three.

2883. Then the two which you call three, and that allowance for the Parliamentary Writs, make in all seven volumes only, and according to his engagement he ought to have done 12?—I consider Sir Francis Palgrave in arrear, if the Committee put the question to me; I do not volunteer the answer, but if the Committee put the question to me, I must say I consider that Sir Francis Palgrave is at the present moment considerably in arrear.

2884. Up to March 1833 he received money, did he not?—He received money; he was paid according to the old arrangement.

2885. What did he do during that period?—He was employed on the Parliamentary Writs. During part of the time he was engaged in sorting and arranging the miscellaneous documents at the Tower.

2886. How many volumes of Parliamentary Writs has he produced during these two years?—The volume of Parliamentary Writs he had brought down to letter S, before the present commission issued; he has done no more than finish that volume.

2887. That volume you have allowed for?—Yes.

2888. According to that it would appear he did nothing in the way of publishing when he received 1,000*l.* a year?—He did nothing in the way of publishing, except the Essay on the King's Council, which I consider in the nature of a report.

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2889. You have allowed the publication of that part of the Parliamentary Writs as one octavo volume since the last engagement in 1833; you must not allow anything for that in the previous period. Sir Francis Palgrave has nothing more to show for 1,000 *l.* a year before that period, in the way of printing or publishing, except the Essay on the King's Council?—Nothing, except that and his general employment at the Tower, superintending his clerks, who are making transcripts and arranging the records.

2890. It appears at page 200 of the Agenda, that a committee was appointed to superintend his progress, and he is directed to make a report on the 1st of June, the 1st of November, and on the 1st of February?—Yes, he has regularly made those reports.

2891. Up to the present time?—Yes.

2892. One for the last 1st of February?—Yes; that report is in the possession of Mr. Protheroe, who is one of the members of the committee.

2893. Was not Sir Francis Palgrave engaged as one of the municipal corporation commissioners during the time he was receiving this salary from the commissioners under the arrangement for making it up to 1,000 *l.* a year?—He was.

2894. Now what length of time was he engaged in that inquiry?—I do not know whether he is engaged in the inquiry at present; or whether he has been during all the time that the inquiry has gone on.

2895. That inquiry commenced in the summer of 1833, did it not?—Yes; I am not aware whether it has terminated or not. I believe that there is some inquiry going on in the city of London; whether he is connected with that I cannot say.

2896. Was there any reduction of salary during the time he was so engaged?—Under an extract of the proceedings of the board, I find he was at liberty to accept of any employment which would not interfere with his producing that quantity of work which I have stated.

2897. Then it appears that either that or something else has prevented him producing that quantity of work?—Yes.

2898. As far as the Committee can understand from the circumstances, he has accepted of an employment incompatible with his engagement?—Sir Francis Palgrave has often stated to me, that though he might become in arrear for a short period, yet the board might be assured he would in a very short time produce the number of volumes that would make up the deficiency. He has not done so as yet.

2899. Did he request permission to employ the record clerks in the municipal corporation business?—He made such a suggestion to me; I mentioned it to many individual commissioners. I thought it so inexpedient a suggestion, that I did not think proper to bring it before the board; and he did not press the matter.

2900. Did you and the commissioners exercise any control over the persons stated in the Agenda to be in the employ of the board under the direction of Sir Francis Palgrave?—All those in the employ of the board had an appeal to the board in case of any cause of complaint against him, on the same principle that Mr. Cole had an appeal to the board from any abuse which I might make of the power vested in me as secretary.

2901. Does the board exercise a control over them?—The board never interferes, unless there is any cause of complaint.

2902. Has it ever interfered; has there ever been any complaint made as regarded this interference?—I recollect no occasion on which the board has been called on to interfere. When persons have left his employ, Sir Francis Palgrave has generally mentioned it to me, and I believe noticed the circumstance in his reports: in the same way, when he has hired any one, there has generally been a notice to me by an official letter, or he has mentioned it in his reports.

2903. Now Mr. Hunter is paid by salary, and Sir Harris Nicolas by piece-work?—Yes.

2904. What is the cause of the difference between the income of the two?—Mr. Hunter is a sub-commissioner, who gives up his whole time to the business of the board; Sir Harris Nicolas is only engaged as the editor of a particular work.

2905. How does Mr. Hunter give up his whole time; to what; to the editing work, or what other business?—Every description of business of a literary kind.

2906. Will you specify some of them?—Without noticing the volumes edited by Mr. Hunter, which lie on the table of the Committee, I can, from the returns to Parliament, specify some. He has framed, at Lambeth Palace, an abstract of those documents for which Mr. Duncombe made a motion in the House of Commons

Commons the other day; a catalogue of historical MSS. in the University of Cambridge; and a catalogue of Lord Hale's Manuscripts in Lincoln's-Inn Library. He has been employed in arranging the Appendix to the General Report: at present he is not editing any work, in consequence of the pendency of this inquiry; almost all the works being suspended.

2907. Sir Harris Nicolas not being a sub-commissioner, is he dischargeable by you?—Decidedly not.

2908. Then, as editor, is he engaged by the board?—Yes. I have given, more than once in the course of my examination, the order of the board which authorized him to edit that work. The only control which I have over editors (and I have the same control over sub-commissioners,) would be, in case of any difficulty arising during the interval of the sitting of the board which might make that course seem necessary, to suspend the work while at press till the board should meet.

2909. What amount of remuneration has he received; how long has he been engaged?—He commenced some time in the year 1833; he has received the whole of the money for six volumes, and he has received 100 *l.* on account of the seventh volume, making in all 1,000 *l.*, he being paid at the rate of 150 *l.* a volume.

2910. In three years he has received as much as Sir F. Palgrave has received in one?—Yes.

2911. And he has done precisely the same amount of work as we have estimated Sir F. Palgrave to have done, seven volumes?—There are five volumes published, and I think the sixth may be considered as finished. I wish to be correct and to hold the balance even; five volumes have been actually published, the sixth volume is complete, all except the preface and the index, and I believe some progress has been made with the seventh; but I do not think the seventh can be fairly counted as a volume, and the sixth is incomplete. Sir Harris Nicolas, if he had continued to work with the same zeal with which he commenced, might have earned more during that period.

2912. But in respect of work and pay, Sir Harris Nicolas, whether he has given up more or less of his time, has at any rate produced six volumes, and made some progress with the seventh?—Yes.

2913. It would hardly appear, from your account, that Sir F. Palgrave has completely produced the seventh, and therefore it appears that the amount of his work has been pretty nearly the same; but Sir F. Palgrave has received more than 1,800 *l.*, while Sir Harris Nicolas has received about 1,000 *l.*; that is the state of the case, is it not?—That is the case. Sir Harris Nicolas, I should say, for the last 12 months has given up very little time to the editorship of the work.

2914. The Committee are comparing work done, not time given; but the statement is correct, is it not?—Yes.

2915. Have you any order from the board for raising Mr. Hunter's salary?—There is no formal order of the board for raising it; there is no order fixing the amount of Mr. Hunter's salary, for the reason I have stated before, that there was no occasion to go to the board for the purpose of laying down any principle; the principle was acknowledged.

2916. Is the principle laid down in any minute or order?—It is thoroughly established by the present usage of the board.

2917. On what principle was the payment of 150 *l.* for an octavo volume settled?—I think that the rate was adopted principally on the recommendation of Sir Harris Nicolas and other persons who had been engaged for many years in literary works; and we considered that it would be a fair remunerating price. The subject was frequently discussed between myself and individual members of the board, all of whom seemed to consider that it would be a just, fair, and proper rate of remuneration.

2918. What amount did Sir Henry Ellis receive for his work on Doomsday-book?—£. 300 for the two volumes.

2919. At the rate of 150 *l.* a volume?—Yes.

2920. Is not a much less proportion of that original matter than that of Sir Harris Nicolas?—I think the bulk of that volume being calendars and original matter, and considerable additions having been made to the notes, and so forth, that supposing the whole of it had been original, supposing the introduction had been written for the first time, that 150 *l.* per volume would not have been an adequate remuneration.

2921. Then you think there is no discrepancy between the payments to Sir

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Harris Nicolas and those to Sir Henry Ellis?—I think if the whole of Sir Henry Ellis's work had been original, he ought to have received more than 300 *l.* In one or two instances where the work is different, we are obliged to adopt a different rate of remuneration. For instance, Mr. Roberts at the Tower is employed on a work called "Excerpts from the Fine Rolls." Now I do not think that 150 *l.* would be a sufficient rate of remuneration for that; I think there ought to be something more. It will be found that he is paid separately for the index. Sir Harris Nicolas does not receive anything for the index, his clerk is paid for that; but Sir Harris introduces long prefaces and little abstracts. £. 150. would be the remuneration for editing a record, without notes, and putting a short preface.

2922. Take the Close Rolls, and compare them with the sheets of the Privy Council; do the sheets of the Privy Council contain more matter than the Close Rolls?—The sheets of the Close Rolls are paid for on a different principle, being a folio volume.

2923. You pay for them two guineas per sheet?—Yes; and another guinea for passing through the press.

2924. What would be the cost of editing a volume of the Privy Council Books, at two guineas per sheet; how many sheets are there?—Two guineas per sheet would not come to above 50 guineas for an octavo volume.

2925. Then a sheet of the Close Rolls must contain more than a sheet of the Privy Council Books?—No; in one there are only four folio pages; in the other there are 16 octavo pages.

2926. Which contains most?—I am inclined to think that the octavo contains most.

2927. Why is the difference of pay three times as much for one as the other?—The 150 *l.* is for editing the whole of the volume.

2928. By the return to Parliament, it seems that Mr. Hardy only gets at the rate of two guineas per sheet for compilation of the indexes?—The two guineas per sheet is for editing the text.

2929. Then, you see, Mr. Hardy only gets one guinea to Sir Harris Nicolas's three?—All this has been the subject of a great deal of discussion between Sir Harris Nicolas, Mr. Hardy, and others, at the time when the rate was fixed; we satisfied ourselves that the relative proportion was right at the time.

2930. Are not the works edited by Mr. Hardy generally considered by competent persons to be the very best works edited under the present commission?—I should not say the best; I believe them to be as good as any works edited by the commission; I have never heard of any defect in them. I esteem equally those of Sir Francis Palgrave, and those of Mr. Hardy and Sir Harris Nicolas; I know of no defects in any of those works; none have been pointed out to me.

2931. Are they merely the editing of records?—The Rolls of the Curia Regis are a record, and a very difficult record.

2932. You consider Mr. Hardy's to be as good as that of Sir F. Palgrave?—Yes; but you said "the best."

2933. The works being of equal merit, Mr. Hardy has been receiving two guineas; Sir Francis Palgrave has received, at any rate, five times as much as Mr. Hardy?—I do not know, I have not compared the proportion. The rate at which Mr. Hardy was remunerated was a rate which was approved of by Sir Harris Nicolas and others; before Mr. Hardy was engaged it had been the subject of a great deal of discussion, whether the remuneration of the old board was a fair one or not; and after much inquiry and conversation, two guineas per sheet was the price fixed on.

2934. You paid Mr. Cole one guinea per sheet for editing the Miscellaneous Records?—Yes, one guinea per sheet.

2935. On what principle was that fixed?—I stated before that Mr. Cole had not acquired that literary reputation which in my judgment fitted him at that period for undertaking the editorship of a distinct work; and I do not think that he ought to be paid at the same rate at which Sir Harris Nicolas and Mr. Hardy were paid. Supposing, however, that Mr. Cole had, after a year or two (for all must have a beginning), shown his capability of undertaking a work of that sort, and had become editor of a distinct work, no doubt the board would have awarded the same rate of remuneration to him. Mr. Cole had only been a clerk to Sir F. Palgrave, at a salary of 125 *l.* a year; it was not prudent or right to give him the same rate of remuneration as persons who were entrusted with the sole editorship of a work.

2936. Mr. Cole does not differ from other human beings in having a beginning; did

did Mr. Hardy have a beginning?—Yes. Mr. Cole was perfectly satisfied with the one guinea per sheet; that being so, it was not for me to propose to give him double the rate of remuneration with which he was satisfied; and besides that, he had a salary of 150*l.* a year from the board.

2937. Mr. Hardy had a salary, had he not?—None whatever.

2938. After the disputes which arose about the remuneration of Mr. Cole, was the arrangement of the one guinea violated?—The work was completed before there was any dispute.

2939. Was he paid for it at the rate of one guinea per sheet?—I believe so.

2940. Was that deduction made from Mr. Cole's salary, on account of it?—This was one of the instances in which a difficulty arose relative to the remuneration; a difficulty which could not be decided by the secretary, but by the parties. Accordingly the board appointed a committee for the express purpose of seeing what Mr. Cole was entitled to.

2941. Can you lay before the Committee the report of that committee?—Certainly. It was composed of Mr. Allen, Mr. Hallam, Mr. Petit and Mr. Protheroe; they met, except the last named; Mr. Cole attended the committee, and a barrister attended on his behalf. He claimed, I think, 569*l.* 8*s.*, and the committee, after fully considering his case, awarded him the sum of 274*l.* 3*s.*; that was the cause of the difference between me and Mr. Cole, last summer. It was in consequence of my refusing to pay his demand.

2942. Now, what is the rate of remuneration that Mr. Stevenson receives?—The rate is stated in the return; I think it is 250*l.* per annum.

2943. How many hours does he attend?—During all the time the Record Office at the Tower is open.

2944. His work is chiefly in arrangement?—He is arranging the Miscellaneous Records at the Tower.

2945. Therefore you cannot give any estimate of the quantity of work produced by him?—He reports quarterly to the board; specimens and copies of his reports are before the Committee.

2946. In what department does Mr. Black's remuneration stand?—He is only engaged for one year certain, at 300 guineas.

2947. What is the nature of the work in which he is engaged?—Mr. Black has principally been engaged in arranging the diplomes which have been received from abroad; he superintends what does exist (in spite of what has been said by another witness),—the school of young transcribers; he has given miscellaneous assistance of various descriptions: but when his year terminates, it will depend upon the board whether any new engagement is made with him, for at that period the work in which he is engaged will have been completed.

2948. Is he engaged in editing an original register?—You mean the Docquet Book of Charles the First: the printing of that volume is nearly finished. He is passing through the press documents which have been received from abroad, and are intended for the report upon the Fœdera; but they are of a trifling description.

2949. What determines the rate of remuneration to persons employed on the Continent?—I have determined it myself; it has generally been after the rate of 4*d.* per folio, and their expenses. The only instance in which any person was engaged for a long period was Mr. Berbrugger; he was engaged for six months, at 20*l.* per month, in copying from the archives of Paris. It did not cost more than if he had been paid at 4*d.* per folio. The only other person who received any salary, with the exception of Mr. Masterton, was Professor Warnkœnig.

2950. There have been payments to M. Collard; at what rate has he been paid?—He was paid for making searches in different parts of France; he produced that French circular which is before the Committee; as soon as he had established a communication with different parts of France, his remuneration ceased.

2951. At what rate was he paid?—I forget whether it was 20*l.* per month or not; I will refer to the books and give the exact sum.

2952. Who was Mr. Masterton?—He was formerly employed in the Foreign Office; and upon the representation made by Mr. Black to me, that there was a vast number of documents connected with English history and fit for the Fœdera, in Lisbon, Mr. Masterton undertook the task of opening a communication with Lisbon for the purpose of having them copied; he fulfilled the design of his mission, and then his employment ceased.

2953. What salary did you pay Mr. Masterton?—£. 300 for the 12 months.

2954. What did he go to Lisbon for?—For the purpose of copying as many of the

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the diplomes as he could, and establishing a communication, which he succeeded in doing, much to my satisfaction. I think it was rather a bold step to send him thither; I was over-persuaded to do it by Mr. Black, and the result has justified the experiment.

2955. What annual payment did Mr. Caley receive as inspector of the Record Offices?—£. 500.

2956. Did he *bonâ fide* do any duty at all for this; was it not in the nature of a pension?—I consider that Mr. Caley performed but slight duties during that period which elapsed between his appointment and his falling into an indifferent state of health. Some members of the commission, I believe, considered it little more than a pension; others, on the contrary, contended that it was not given as a pension.

2957. Did not Mr. Cole perform the duties of Mr. Caley before his death?—Mr. Cole, before Mr. Caley's death, carried on all the duties at the Chapter House and Augmentation Office.

2958. For that he received 150 *l.* a year?—Yes.

2959. So that he got 150 *l.* a year for doing the duty, for omitting to do which Mr. Caley received 500 *l.*?—I am afraid that happens in many departments.

2960. Mr. Cole applied to you to have his salary raised; you did not think it necessary?—Yes; there was a difference of opinion between Mr. Cole and myself, and there was no principle; the difference of opinion alone was a sufficient reason.

2961. What did the board do?—The board declined to raise Mr. Cole's salary of 150 *l.*; but I stated verbally to the board that I employed Mr. Cole during extra hours; I think he was engaged in that work at one guinea per sheet; and in that way, in pursuance of an understanding between himself and me, as appears by the pamphlet, he has proved that he could get from 100 *l.* to 150 *l.* more, if he thought fit.

2962. Within 10 days' refusal of the board did you not increase Mr. Cole's salary?—No; I still continued to employ him out of hours. His salary was 150 *l.* a year; Mr. Cole was desirous of having a certainty; the board declined to acknowledge his right to anything more, but the board did not prevent me from going on to employ Mr. Cole during office hours, and in that way I reconciled the discrepancy stated. Between what passed at that board and a letter of mine to Mr. Protheroe, there is no discrepancy, when the thing is understood. The board declined to give Mr. Cole a right to more than 150 *l.* a year, but the board did not preclude me from employing him, as I had hitherto done, out of office hours. The literal order of the board was, "the board declines to raise Mr. Cole's salary." I see in a subsequent letter, which Mr. Cole printed a year or two afterwards, that I stated to give him more was contrary to the order of the board. Mr. Cole knew what I meant in that letter; "it is contrary to the literal order of the board, that you receive more than 150 *l.* a year;" but the board perfectly well knew (as Mr. Protheroe mentioned), Sir Robert Inglis and others knew, it was open to me to employ Mr. Cole out of office hours.

2963. You stated in this letter to Mr. Cole, "all you have received beyond 150 *l.* a year has been paid on my individual responsibility, not only without the sanction of the board, but in contravention of its order"?—That is the letter to which I was alluding; that letter was written a long time afterward. One does not expect to see private letters printed. Mr. Cole knew what was the meaning of the letter; "the board refuses to acknowledge your right to more than 150 *l.* a year."

2964. I should certainly understand the words myself, "not only without the sanction," implies that the board did not expressly authorize you to pay more; and when you go on to say, "but in direct contravention of the order of the board," it would seem that there had been a subsequent order from the board that Mr. Cole should not get more than 150 *l.* a year?—It may appear so to persons not conversant with the facts; where persons are conversant with the facts and know the writer's meaning, it is different. No one expects to have his letters brought forward and criticised thus.

2965. You mean, that whatever may be the literal terms of the letter, that private communication had passed between you and Mr. Cole, which would render him perfectly cognizant of your meaning?—Yes; he knew the meaning of the letter, that the board had refused to authorize giving him more than 150 *l.* a year. My expression was perhaps too strong.

2966. There is specified a payment to Mr. Bacon; who is he?—He is a Chancery barrister.

2967. What

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2967. What is his name?—James.

2968. What did he do?—He gave general assistance to me in the affairs of the commission, principally when I was engaged in the compilation of the second volume of the Account of the Public Records. It was stated, and I think the gentleman is in the room who stated it, that it was paid to him for writing a certain article in the Edinburgh Review; the truth is, that my friend wrote that article, but was never paid for it.

2969. Was he not paid for it by the editor of the Review?—No; the payment to Mr. Bacon has often been the subject of a joke. But it was improperly stated that he had received that money for writing an article in the Edinburgh Review.

Lunæ, 2° die Maii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Matthew White Ridley.
Mr. Pusey	Mr. Hawes.
Sir Robert H. Inglis.	Right Hon. C. W. W. Wynne.
Sir Charles Lemon.	

MR. CHARLES BULLER, IN THE CHAIR.

Thomas Abbot, Esq., called in; and Examined.

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2962*. *Chairman.*] I BELIEVE you are deputy auditor and deputy surveyor-general and secretary to the Special Commission for managing the Affairs of His Majesty's Duchy of Cornwall?—Yes, I am.

2963*. In what custody are the records of the duchy kept?—In the custody of the auditor.

2964*. As deputy auditor you have the custody of them?—Yes.

2965*. Who is the auditor?—Sir George Harrison.

2966*. Where are they kept?—In the Duchy of Cornwall Office at Somerset House.

2967*. In what kind of apartment?—The house is the private house of the King in which I reside; the King gave it to me last year.

2968*. In what kind of apartments are the records kept?—We have about four rooms for official business; indeed our documents are very numerous. I once had occasion to take two tons down to Exeter upon a trial.

2969*. Is the place in which they are kept dry?—Very dry.

2970. Do you think they suffer any damage from the situation in which they are kept?—No.

2971. What are the hours of attendance at the Record Office of the Duchy of Cornwall?—The attendance at the Duchy Office is from ten to four.

2972. Are the records open to inspection from ten to four?—Yes; they are open at any time that parties require to see them.

2973. Is permission required for searching the records?—Yes.

2974. From whom is that permission obtained?—If application is made to me I refer it to the law officers of the Duchy to know if the parties applying are proper parties to see the records.

2975. What guides your judgment upon such occasions?—The law officers guide me; I refer to them.

2976. Who are the law officers?—Mr. William Harrison is the attorney-general, and the solicitors are Messrs. Parke and Freeth.

2977. If a person wishes to see the records in the office, he must apply by writing to you?—I wish he should.

2978. And that application you refer to the counsel and the solicitors?—Yes.

2979. The applicant has to await the result of your reference?—Yes; but that is almost immediately; I lose no time.

2980. What guides your judgment as to the propriety or the application?—I am guided by the officers.

2981. Are there any settled principles upon which you act?—I should know with certainty what the public records were, whether they were Enrolments, or Ministers' Accounts, or Court Rolls.

2982. Then this reference is made solely with respect to the nature of the search that the applicant wishes to make?—Yes, that I may know they are proper parties applying, and what may be the records as regarding the Duke of Cornwall or his tenants, such as the Assession Rolls or the Ministers' Accounts.

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2983. Has the applicant to specify the particular object of his search?—I wish him to do so that I may relieve myself from all responsibility.

2984. Do you wish him to search the calendars and indexes?—I think not.

2985. Have you calendars and indexes?—We have catalogues.

2986. Perfect catalogues?—My time is not devoted to the record department; I very seldom have occasion to do it myself; I have a clerk there, and those parties who are entitled to have copies they are made.

2987. You do not know the state of the catalogues?—Yes, I do; they are in the office.

2988. Are they good ones?—Yes; they were chiefly prepared for the trial of Rowe *v.* Brenton.

2989. Suppose a person comes there, knowing he wants a document for a particular object, but not knowing where it is to be found, what facilities of search has he?—His application would be general, unless he specified the nature of the document, and unless he was applying for a tenant of the manor.

2990. Suppose the permission given by you to search?—Then he might have such copies as he pleased.

2991. Supposing he did not know the record he wanted, does he search through the records, or does the officer search?—No, the officer searches.

2992. Is any fee paid upon that search?—Yes, but it is very small; we had rather not make copies than take the fees.

2993. What are the fees upon a search?—Three shillings and four-pence or 6*s.* 8*d.* upon a search probably; or 3*s.* 4*d.* or 6*s.* 8*d.* upon a copy, a copy of a Court Roll or Assession Roll.

2994. Do you allow a portion of a record to be copied, or must the person take a copy of the whole?—A portion may be copied, and often is.

2995. You say you make a distinction between different classes of records; some you grant permission to search, and others not; upon what principle is that distinction made?—Take the Assession Roll, which is the assession of the tenants every seven years; a tenant frequently of the Duchy of Cornwall makes an application to trace back the different admissions every seven years, by which he would be able to furnish an abstract of title to a purchaser; if there is a proper person applying, such information is instantly given to him; and probably that is sufficient from the Assession Roll to furnish an abstract of title for a purchaser.

2996. Do you consider that that is a roll to which the public ought to have access?—Yes, if he is a tenant applying; because Lord Tenterden laid it down he had a right to inspect them.

2997. Suppose it is a party with a hostile view?—If he is a tenant of the manor——

2998. Suppose he intends to be a purchaser; you take the case of a man wanting to make a title; suppose a purchaser applied?—It would be the vendor who would apply, who might not have access to the assession books in the country. There is a commission at the head of the roll, by which the Duke of Cornwall grants to the tenants their estates every seven years.

2999. Are there any of those records which you do not allow any persons to see?—What you would call records: we have a variety of all sorts of documents, Assession Rolls, Ministers' Accounts and Receivers' Accounts.

3000. Those you do not allow the public to see?—No, not all; some are the private documents of the Prince of Wales.

3001. Do you consider the duchy of Cornwall the property of the Prince of Wales?—Yes, I do.

3002. When there is no Prince of Wales?—The revenues go to the privy purse.

3003. Sir *Robert H. Inglis.*] They go the King individually, as belonging to the privy purse?—Yes.

3004. Distinguished from the Crown?—Yes.

3005. *Chairman.*] Have there not been some records relating to the duchy of Cornwall found in the Augmentation Office?—Yes, in 1802 a great many came from the Augmentation Office.

3006. Are there not some there now?—I do not know of my own knowledge, for I do not know where the Augmentation Office is.

3007. Are you aware of the existence, in the Augmentation Office, of any records relating to the duchy of Cornwall?—Not of my own knowledge; I have heard of it; I believe there are.

3008. Do you know of what class of records they are?—I should think they might be Court Rolls, or the Ministers' Accounts, or Assession Rolls.

3009. You do not know?—No, I do not exactly.

3010. You are aware that the Record Commission has been applied to endeavouring to get those into the Record Office of the duchy?—Yes.

3011. Do you know whether they are accessible to the public at the Augmentation Office?—I believe they are at all record offices.

3012. Do you not happen to know whether the documents in the Augmentation Office are accessible to the public?—I am very little acquainted with the records; I never go to any public office to search records; I do not know what they contain; I have heard there are some there relating to the duchy of Cornwall.

3013. Are you not aware that a correspondence has been carried on between the Duchy Office and the Record Commission relative to the transference of those records to the custody of the duchy?—Yes, I have heard that Sir George Harrison has corresponded with them upon the subject.

3014. Do you not know that records in the Augmentation Office are accessible to the public?—Unless I knew the nature of them I cannot say.

3015. Do you not know that all public records in the public offices are accessible to the public?—I consider they are.

3016. You do not know whether the records in the public record offices are open to the public?—I consider that they are.

3017. Do you not consider that the effect of transferring those documents from the Augmentation Office to the Duchy would be diminishing their accessibility to the public?—Not if they related exclusively to the possessions of the Duke of Cornwall; the public would not be deprived of any advantage by their being transferred to the duchy, for the principal records, the Assession Rolls, the Ministers' Accounts and Receivers' Accounts, all relating to the Duchy Office, were transferred from the Augmentation Office to the Duchy, and I do not conceive that the public have been prejudiced by it.

3018. Would not the effect of transferring any records from a public record office to the duchy render the access of the public dependent upon the pleasure of the duchy officers?—Not if they were the proper parties to see them.

3019. You would be the person to judge of the propriety of the application, and it would therefore depend upon the pleasure of the duchy officers?—No proper parties would be prevented seeing if they applied.

3020. Have not those records been frequently referred to in litigations between the duchy of Cornwall and other proprietors of land in the county of Cornwall?—In the case of Rowe *v.* Brenton, Mr. Rowe's solicitor made many applications to see records, but unless they were records, and not private papers of the Duke of Cornwall, they were not allowed to see them, because there is a distinction.

3021. On litigations between yourselves and another party, when that party has applied for papers upon which his claim depended, you have exercised a discretion in granting or refusing his application, making yourselves the judges whether they were papers that your opponent ought to have a sight of?—Yes; if the application was made to me on behalf of Mr. Rowe, I referred the application to our law officers, and if they considered they were records that they might see they were allowed to see them, if not they were refused.

3022. Do you happen to know that some right respecting the manor of Tyewarn Hale was a matter in dispute between the duchy and some parties in the county of Cornwall?—When?

3023. Lately?—There are so many disputes between parties, adventurers in mines, that I cannot say.

3024. Do you happen to know that important information respecting the rights of the duchy in this manor was found among the records in the Augmentation Office?—I know so little upon the subject I cannot say.

3025. You do not know?—I cannot say that I do know that there was any dispute between parties.

3026. You do not know that the information found in this case was favourable to the party, and unfavourable to the duchy?—I did not inspect or examine the records.

3027. Are you aware of the fact?—No, not unless you name the parties; I might have some recollection of it; I hear of Tyewarn Hale and Tyewarn Tyas.

3028. Are you aware that lately, upon some matters in dispute between the

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duchy and some parties connected with the manor, that some information favourable to the parties and unfavourable to the duchy was found in the Augmentation Office, as to the common of Boscundle, in the manor of Tyewarn Hale?—No, it is in the manor of Tewington.

3029. Do you know that in that case information unfavourable to the duchy was found in the Augmentation Office?—Really I do not know it; when records are examined, they turn out to be more favourable to the Duke of Cornwall's rights than to the rights of others.

3030. Would not the effect of transferring those records from the Augmentation Office to the Duchy Office have put it in the power of the duchy of Cornwall to keep the party out of the possession of information material to the establishment of his rights?—No; not if public records.

3031. Sir *Robert H. Inglis.*] In regard to the use to be made of any documents in the Duchy-office, do you consider you are a national officer and in the possession of national documents, or in the situation of the steward of a private individual in possession of private deeds?—I consider myself the private servant of the King; but there are some public documents in the office.

3032. Are you aware of the nature of the documents sought to be transferred in the course of the correspondence between Sir George Harrison and the Commissioners of Records from the Augmentation Office to the Duchy of Cornwall; whether they are such private title deeds of the Prince of Wales and Duke of Cornwall, or public and national records?—I should consider that they would relate solely to the possessions of the duchy.

3033. Mr. *Pusey.*] Have you any public record?—Yes, Assession Rolls and Court Rolls, and Ministers' Accounts; but Receivers' Accounts are, I should consider, not open to the public.

3034. Sir *Charles Lemon.*] Are the records in the Duchy Office under the custody of any particular officer?—They are under the custody of the auditor; and I could read the records formerly, but I cannot now so well.

3035. Who is the person whose duty it is to make the search, when permission is granted to search the records?—We have a record-clerk, Mr. Frederic Devon; but we have an able officer there, Mr. Tucker.

3036. Is he always there during the hours you have stated?—Our hours of attendance are from ten to four.

3037. He receives his instructions from you, not from the law-officers of the board?—I do not wish to take that responsibility upon myself, and I refer it to the law-officers, in conjunction with the auditor; and if it is right, they have immediate access.

3038. You are not aware of any principle upon which this permission is granted or withheld, except whether the document is of a public or private nature?—Yes, that is the distinction.

3039. Are these records separately arranged with respect to their private and public character?—The Assession Rolls might be public or private.

3040. Is that distinction kept in view in the arrangements of the Duchy Office?—If you call the enrolment books public records, they are regularly arranged; the Assession Rolls are arranged in presses, and the Ministers' Accounts are arranged in presses, and labelled.

3041. You spoke of the records being in four rooms; are any of those separately applied to keeping the public and private records?—Our books are mixed.

3042. They are mixed in the arrangement of the records and in the catalogue?—Yes, we have a catalogue.

3043. So that, though you acknowledge to have a certain number of public records, there is no index or catalogue referring to them separately?—No, they are all in one list.

3044. Consequently, there is no catalogue or index that you think the public has a right to demand the inspection of?—I think they have no right to demand to see the catalogue, and if they wanted to see such a record, the question is, whether it is proper they should see it or not.

3045. If that demand is made, is it always conceded?—If there is no objection to the party.

3046. So that there is a separate condition, not merely as to the record being public or private, but as to the party?—If it is a public record anybody may see it, but we make a distinction between them.

3047. By what means can any person know there are records of a particular character

character in your office?—If a party comes to see an enrolment or a lease, that is a public record, and he would have it; if he asked to see the Receivers' Accounts it might be questionable.

3048. A party having a particular object in view, and not knowing whether there was a particular document or not bearing upon it in existence, there is no catalogue or index to which he could refer?—Yes, we have a catalogue, but it is not usual to submit it to persons applying.

3049. Sir *Robert H. Inglis.*] Was that catalogue prepared under the direction of the King as Duke of Cornwall, and paid for out of the funds of the duchy?—Yes.

3050. In other words, it is such a catalogue of the muniments of the Duke of Cornwall as any other great landed proprietor might have had made of his private muniments?—Precisely.

3051. *Chairman.*] Is it not similar to muniments of the same kind which existed in the office of the duchy of Lancaster?—I do not know anything of the duchy of Lancaster; I presume they have a catalogue there.

3052. You say they are the same kind of papers as a landed proprietor might have made out for his own information respecting his estate?—Yes.

3053. Are they not similar to those that exist in the duchy of Lancaster?—I do not know anything of it; I should consider it a private office.

3054. You consider the Duke of Cornwall a private proprietor, and the Duke of Lancaster a public proprietor?—When there is a Prince of Wales the duchy is in a subject like any lord of the manor. We did not get our records from the Augmentation Office till 1802, and the catalogue was prepared by the late Mr. Robert Gray. If there were any historical information, we should always give it as matter of courtesy to Mr. Lysons, or anybody else who was writing a history of the duchy; but we should not wish to furnish that information to anybody who was opposing the duchy.

Mr. Abbot begs to add to his evidence the accompanying opinion of Lord Abinger, Sir Nicholas Tindall and Mr. William Harrison on the subject of the duchy records.

We are of opinion, that the parties have no right to the inspection of any document that does not relate to the subject in dispute, or that is not of a public nature.

Of the first description is the book called The Tertia Pars, which we therefore think ought not to be submitted to their inspection.

We apprehend the Indices and Calendars are of the second description, having been compiled by the officers of the duchy for their own convenience in making occasional researches.

We should not, however, object to the inspection of these as a matter of courtesy if they were confined to the matters in dispute, but being informed that they contain various other matters, some of which are not of a public nature, we think this a sufficient reason for withholding them. As to the correspondence of the council, we conceive it to be of a private nature, relating to a particular transaction, and that the parties have no claim to inspect it.

(signed) *J. Scarlett.*
N. C. Tindall.
W. Harrison.

Westminster, 15 May 1827.

Charles P. Cooper, Esq., called in; and further Examined.

3055. *Chairman.*] I am now about to examine you with respect to the foreign collections. On looking over your former evidence, it appears you consider that these foreign collections were justified, on account of two works which it came within the province of the Commission to publish; those are, first, the collection of foreign historians, which was confided to the Record Board by a vote of the House of Commons in the year 1822; and, secondly, by the preparations you are making to publish a supplement to Rymer's Fœdera; am I right in that?—The foreign collections have been made with a view to Rymer's Fœdera; but in making those collections we availed ourselves of the opportunity of obtaining information relative to manuscripts and documents connected with early English history, which were not in the nature of *diplomes*, and consequently were not wanted for Rymer's Fœdera. This we have done, because it has been productive of no additional expense; the collections were made with a view to Rymer's Fœdera.

3056. You say in your former evidence, you should consider yourself justified, under this authority, in publishing extracts from Tacitus or Cæsar, or any information of that kind forming materials for the History of England?—No; but extracts from Tacitus, Cæsar, and other classic writers, and passages relative

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to ancient British history, have been taken for the work called Materials for the History of Britain: they could have no reference whatever to Rymer's Fœdera. The reason I stated it was, that the work entitled Materials for the History of Britain is notoriously formed upon the model of Dom Bouquet's collection; and you will find that the first volume of that great collection, published under the authority of Louis XV., consists entirely of extracts from Greek and Latin writers, and passages connected with French history.

3057. Your authority is derived from the address of the House of Commons; and the words of that address are, "That an humble address should be presented to His Majesty, representing that the editions of the works of our ancient historians are incorrect and defective; that many of their writings still remain in manuscript, and in some cases in a single copy only; and that an uniform and convenient edition of the whole, published under His Majesty's royal sanction, would be an undertaking honourable to His Majesty's reign, and conducive to the advancement of historical and constitutional knowledge; and this House, therefore, humbly besought His Majesty to give such directions as His Majesty in His wisdom might think fit, for the publication of a complete edition of the ancient historians of the realm." Do you not think that the words of this vote of the House of Commons limited the task imposed upon the Commission to the reprinting or printing for the first time the works of those authors who might be called the ancient historians of this country?—The address of the House of Commons, as will appear by the debate out of which the address arose, had reference to a plan previously prepared by Mr. Petrie, for the publication of a work entitled, "The Materials for the History of Britain;" and upon reference to that plan, of which you have a copy in the book before you, you will find it is mentioned by Mr. Petrie, as part of the scheme, that extracts should be made from the classic writers of everything relating to Britain; and he not only goes so far as classic writers, but he goes so far as French or German writers.

3058. I find no reference made to this plan of Mr. Petrie in the debate; I find a reference to his name as an able individual?—It was a matter of notoriety that the address of the House of Commons had reference to that plan.

3059. Why did the address of the House of Commons limit the desirableness of those objects to cases where the works of our ancient historians are incorrect and defective, or are still remaining in manuscript, and in some cases in a single copy only; you could not say that that applied either to Tacitus or Cæsar?—I do not think that the Commissioners, when the Treasury confided to them the execution of the plan pointed out by the address of the House of Commons, were limited by the terms of that address.

3060. Do you mean there was any difference between the words of the address and the letter from the Treasury; the letter of Sir Robert Peel copies the words of the address?—I think, under the terms of that address, the Commissioners were fully authorized in prefixing extracts from classic writers to the first volume of the Materials for the History of Britain, principally composed of our own chronicles.

3061. You are using a term here which I see nothing to justify your using; you are speaking of the materials for the history of Britain, and the House of Commons has directed the publication of the ancient historians of the realm?—Materials for the history of Britain are the works of the ancient historians of the realm.

3062. There may be many works materials for history, poems, ballads and tales, which you cannot call the works of the ancient historians of the country?—If it had been the intention of the House of Commons that the plan adopted by the commissioners should not be followed, there would have been some instructions to that effect given to the commissioners; but Mr. Petrie's plan was referred to, and I think his name was expressly mentioned by Sir James Mackintosh and Mr. Hudson Gurney.

3063. I am asking these questions with reference to an answer of yours upon a former examination; I then asked whether a catalogue of all the works relating to St. Ursula was a matter that came within the province of the Record Commissioners, and you then stated you considered that the House of Commons and the King intended that the lives and memorials of the saints should form part of a great historical collection; I want to know whether you can justify that under the term of "ancient historians of the realm;" would you not be obliged to have recourse to the ampler interpretation of collecting materials for the history of England?—It was the intention of the House of Commons, in that address, not only that the larger

larger historical works, such as the Saxon chronicle and other works of that description, should be printed, but that all the materials of that period (of which the lives of saints formed a most considerable part) should be inserted in the collection.

3064. Then you conceive that all works that in any way may be used as materials for history, entered into the contemplation of the House of Commons?—I have no doubt of it.

3065. For instance, all ballads throwing light upon national manners and history?—I apprehend it was never the intention of Parliament that this national work should be less complete than works of a similar description published by other countries.

3066. There is no model referred to, and I am asking whether, under the terms of the address, all materials for English history are to be collected; was it a general direction to collect the most perfect materials for the history of Britain?—It was so considered by Mr. Petrie. There was a committee formed of Mr. Allen and Mr. Petit, the object of which was to ascertain whether the plan pursued by Mr. Petrie came within the words of the address: those gentlemen made a report which I have set forth in my former examination, by which it appears that they were of opinion that the plan adopted by Mr. Petrie came within the address; and my opinion coincides with theirs.

3067. You mean to say that the words of the address gave you power to collect all the materials for the most complete history of Britain?—It gave us authority to collect materials similar to those in the great work of Dom Bouquet or Muratori.

3068. The Right Hon. *C. W. Williams Wynn.*] Is there not a metrical account of King William's descent at the Conquest?—Yes.

3069. Which is of the greatest value to the history of this country?—Undoubtedly; and there is in the library at Brussels a very valuable manuscript of that poem. As nobody ever doubted that it came within the meaning of the address of the House of Commons, accordingly Mr. Petrie has obtained a copy of it, and it is printed.

3070. *Chairman.*] My question was whether, if you extend the words of the Commission, not merely to the collection of those works that may be called the works of the ancient historians of the country, but to all works that may be called the materials for history, would it not tend to take in a quantity of works of imagination, which throw more light upon history than many historical works; you say it would tend to take in all the fables, and the lives of the saints, because they throw a valuable light, which nobody disputes, upon the manners and affairs of the country; it would equally extend to take in ballads; does the obtaining that information enter into the province of the commission; or what line do you draw between those it was their province to collect or not?—I have no hesitation in saying that every ancient ballad containing historical facts, I should deem proper to come within the collection.

3071. The ballad of Chevy Chase?—Yes. If before the Conquest, such a ballad would be most valuable.

3072. Do you limit ancient ballads to the period before the Conquest?—That must depend upon the ballad itself.

3073. The ballad of Chevy Chase is referred to?—No, that would not; that is of too late a period.

3074. That refers to the period of Edward the 3d or Henry the 4th; how is it you consider yourself justified in making inquiries respecting the best manuscripts of Froissart, and yet say decidedly you would not be justified in publishing a work throwing a light on history at the same period?—The work of Froissart is the best history that we have at the period of Edward the 3d; I consider Froissart a national historian, though a foreigner.

3075. You say a ballad like Chevy Chase, before the Conquest, ought to be put into the collection, but a ballad of Chevy Chase, at the time it occurred, ought not to be put in; how do you draw the distinction?—There is a very obvious reason; before the Conquest the materials for history are very scarce, after that period they are much more abundant: it must depend upon the abundance or scantiness of the materials.

3076. Do you think the authority given to you, in the address of the House of Commons, limits you to the authentic materials for history, the works of historians, or that it allows you to collect all materials that would throw any light upon

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upon the subject?—I interpret the address of the House of Commons by the outline of the scheme which had been drawn up by Mr. Petrie, and which was in the hands of those Members who took a part in the debate. Reading the address consistently with the outline of the plan, I say that, previously to the Conquest, materials of every description of an historical kind ought to be introduced into the work, from the comparative paucity of information; and looking at the same outline of the plan when you come to a more recent period, I think a selection must necessarily be made, because the materials for its history become much more abundant, and we must exclude many ballads, and many passages from the lives of saints, that would have been admitted at an earlier period.

3077. You make this answer with regard to the plan of Mr. Petrie, which we have not before us?—I cannot shut my eyes against that plan, whatever may have been the words of the address. I cannot, as a lawyer, or if I were a commissioner, shut my eyes to the fact that the plan of Mr. Petrie was in view.

3078. Sir *Robert H. Inglis.*] You were not connected with the board at that time; and, in the answers you are giving, you are giving the opinion of an individual not officially cognizant of the original adoption or the views on which that adoption rested by the commissioners of the work in question, and the mode in which it was to be carried on?—A great deal of my present and former examination is merely matter of opinion, which opinion rests very much upon the circumstance of my being acquainted with that outline or sketch, and familiar with foreign collections, particularly the work of Dom Bouquet, which this work, the Materials for the History of Britain, was intended to imitate.

3079. *Chairman.*] The object of the questions has been to ascertain whether you considered that the commissioners were limited to collecting the works of ancient historians, the authentic materials for history, or all works that throw any light upon the literature or manners of the age; do I understand you rightly that the commissioners were authorized to make the largest collection with regard to the earlier period of our history, but with regard to later times they had to confine themselves to ancient historians and authentic materials for history?—I should say that the line was very fairly drawn by the manuscripts mentioned by Mr. Petrie; you will see that he has transcribed documents for the earlier period different from those for the later.

3080. It is under those two authorities you have prepared this work, Appendix (A)?—Yes.

3081. What is this book?—It is an Appendix to the Report upon the Fœdera, of any materials for British history existing in foreign libraries and archives.

3082. Is not this book in fact a catalogue of works in foreign libraries relating in any way to England or Englishmen?—As I stated before, Appendix (A) contains notices of all manuscripts that I could discover in foreign libraries connected with English history or literature, and of all manuscripts written by natives of the British Isles.

3083. It seems to me, in making this catalogue, you have mentioned a great many works which would not in any way come under the classes to which you formerly confined it?—No, you mentioned poems by the Earl of Rochester; I have taken in everything that I could discover, and for this reason, that the expense was not increased. Those medical treatises, which afforded you so much amusement, would not be wanted for the purposes of the Commission, but it is only the expense of three words of type: although the information may not be useful to the board, it may be useful to other inquirers; and the probability is, that giving it may save expense, because the next post might bring me an account of the manuscript much longer than my printed notice.

3084. What guided you in printing this information; what benefit could the public derive from knowing there existed in different libraries on the Continent manuscripts or editions of works which existed in great plenty in England, such as the works of Bede?—Most of the manuscripts of Bede mentioned there are of a very early date.

3085. The Appendix seems to have this fault, that you never give the dates?—Generally the dates are given; wherever I could find them. Take Saint Gall's, for instance; wherever I could ascertain the age I have given the date.

3086. Sir *Robert H. Inglis.*] You have been asked several questions in reference to ballads. The song of Harmodius and Aristogeiton, the sagas of the Runic poets, the

the death song of Regner Lodbrog, and many of the lays of the Troubadours are quoted, not merely in illustration of manners and opinions, but as the authority or confirmation of facts in history; do you consider that an analogous use of similar materials is justifiable in respect to the history of Britain?—I do; I think that before such a work as the Materials for the History of Britain is completed, extracts should be obtained, not only from all the Latin and Italian writers, but from the sagas of the Runic poets.

3087. *Chairman.*] Do not works of imagination of a later period throw the most valuable light on history; as, for instance, De Foe's Memoirs of a Cavalier, which everybody knows to be a fictitious work; does not that throw considerable light upon the history of the period?—I have no hesitation in saying that Shakspeare's plays throw light upon English history, but we are not to print them, because of their period. If there were a very ancient play giving an account of the battle of Hastings, it ought to be printed.

3088. Sir *Robert H. Inglis.*] The Committee do not wish you to give any opinion of the preference due to Dom Bouquet or Muratori, in their respective collections; but, without asking you to give any opinion upon that subject, do you or not consider that the class of materials for the selection to which your attention has recently been called are or are not in perfect consistency with the plan of Dom Bouquet?—It is consistent with the plan of Dom Bouquet; I am acquainted with the whole of the 19 volumes, and no class of materials has been proposed to be introduced by Mr. Petrie into his work, that is not introduced into the work of Dom Bouquet.

3089. *Chairman.*] Then the question would be, whether Dom Bouquet's plan was not too extensive. I suppose this is a mistake: here are two letters of Evax, King of Arabia, upon the names and properties of precious stones; and here is another work of the same kind?—No; that is an English work.

3090. How can that be?—I must explain it by referring you to Tanner.

3091. Does not your Appendix lose its value by having works mentioned twice over?—You have it there without an index; there must be a preface and an index nominum, which will show that the person there called King of Arabia was an Englishman.

3092. I do not see why you ought to leave to a preface and index nominum the necessary information to throw any light upon the work?—When you set about such a work as that, we may discuss whether there should be an index nominum or an index rerum, which may explain why a name that occurs a hundred times is spelt in different ways, and the epithets in which it is used, or that different titles mean the same individual.

3093. As this work was entirely drawn up by yourself, will you explain why you have put in the theological works of Junius?—I put in Junius, though he was not an Englishman; but being resident so long a time at Oxford, I consider him one.

3094. What makes you think these are the works of Junius, so long resident at Oxford?—I must have ascertained it at the time.

3095. Do you not know that they are the works of his father, who was never in England?—I am glad that any one has been so hypercritical as to discover that; I know I referred to various works at the time, and the opinion I came to was, that it was the Junius who was a professor at Oxford.

3096. You have got the work of Junius in a subsequent page, with the date 1591; did you suppose that that Junius who was at Oxford wrote that work at two years of age?—I am glad you have taken such pains to ascertain it; but, with my multitudinous occupations, I cannot answer these questions now, but I will ascertain how it was, whether the father bore the same name.

3097. There is another mistake, which seems still more curious in an article that must have been drawn up from an inspection of some of the books belonging to foreign libraries. How is it that under the title of Heilsbronn you have put information relating to the records of Heilbronn?—I do not understand the question.

3098. How is that to be explained?—I believe that is Heilsbronn.

3099. And it is a misprint?—I believe it is the same place. I can bring Herschin the next time I come.

3100. How could you have the term Stadt and Stadt Bibliothek, as applied to the library of a monastery?—It is a town here.

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3101. Is Heilsbronn a town; is there any library in the town of Heilsbronn?—Yes; there is both the town and the monastery "das Kloster zur Nessel," and the library of the town; I suppose there is a town, and a monastery near it.

3102. Do you not think it more probable you have been confounding, from the similarity of name, the town of Heilbronn, which is a free imperial city, to which the term Stadt would apply, and the monastery of Heilsbronn?—No; here is Hocher's catalogue of the library of the monastery of Heilbronn, and it is a different library; besides that, Dr. Drescher was almost always at my elbow, and I should have consulted him; he is an excellent geographer.

3103. Sir *Robert H. Inglis.*] The volume now submitted to you by the Chairman, and other volumes in respect of which questions were put to you on a former examination, have been delivered by you under the order of the Chairman, previous to their publication; do you or not state to the Committee, that they are in such a state that you would have submitted them to the King, as part of the report, with or without any previous re-examination on your part?—The volumes or fragments of volumes now upon the table of the Committee were produced most reluctantly; they were portions of unfinished works; they have been denominated, for convenience, Appendixes to the Report upon the Fœdera; but it is obvious that some of them may and will be published separately. Appendix (A) is solely designed for that Report, but it is not in a state in which it is possible for the Committee to form any accurate judgment of it.

3104. *Chairman.*] Do you mean to say, having printed a work, you have printed an imperfect work?—*Qua* Appendix, I believe it is perfect; but you have it without the report, and without a preface or indices.

3105. Does the suggestion thrown out in the last question account for the mistakes in this printed work?—I do not believe there are mistakes.

3106. Sir *Robert H. Inglis.*] Admitting, for the sake of argument, that there are mistakes in this as in any other work consisting of 400 closely printed pages, are the Committee to understand that the volume is in such a state as that such mistakes could not be corrected either by cancelling sheets, if necessary, or by obtaining tables of errata; and if so, would such tables of errata, or such other corrections, occupy a larger proportion of space than would be found in similar works of a similar size?—I trust they would not; the work was compiled by myself: it consists of 500 pages, most of it in different foreign languages; and I believe it will be found as free from mistakes as any work of that sort can possibly be.

3107. *Chairman.*] Here is another mistake I cannot explain. Here is a place you have put in as Straswitz, in Moravia; and you annex two notes, one from Michaud, mentioning this place, and another from your foreign correspondent showing it was all a mistake of Michaud, and that no such place ever existed?—I took a great deal of pains to ascertain the locality of the place, and I do not believe that I am wrong; I have queried the spelling of the place. I admit no error; prove the error.

3108. You have put in the place with a query, and you have put in a note, from a foreign correspondent, showing no such place exists, but that a confusion has been made between that and another ancient library, which you have specified under another heading?—The very circumstance that I have introduced a note from a foreign correspondent shows that I have made no mistake. I have introduced the note designedly, in order to assist in determining the locality of the place where the valuable manuscript there mentioned exists.

3109. But you have mentioned the locality of that manuscript in the account of the library of Prague?—I admit no mistake, it is a piece of criticism.

3110. What is the use of giving the public information that amounts merely to this, that Michaud made a mistake about the place, and thought that existed which you say does not?—Critics will determine whether the information there conveyed is of importance or not; I thought myself bound to give the information contained in that note. I may be wrong, or right.

3111. I am wanting to bring your attention to the plan of the work. Is not the information respecting libraries in Germany rather remote from anything relating to the history of England?—No; you will find, under that head, mention is made of a manuscript which contains some very curious passages relative to the expedition of Richard I., to the Holy Land; and even contains some documents which, if they could be obtained, would be fit for insertion in the Fœdera.

3112. I find a reference, not a very intelligible one, "Ansbertus," referring to page 192: I look there and find a long extract from the History of the Expedition of the Emperor Frederic, by an Austrian clergyman of the name of Ansbertus; this extract contains some history respecting the conduct of the King of England during that expedition: do you call this one of the ancient historians, or is it that kind of information you collected for Rymer's Fœdera?—No, this is not one of our ancient historians; but if the Chairman will refer to Mr. Petrie's sketch of the plan, he will find that part of the plan was to print extracts from early foreign writers connected with English history; this is a writer unknown in England. I have read the work, which contains some curious passages relating to that crusade; and I conceived that it fell within the scope of that compilation. *Charles P. Cooper, Esq.* 2 May 1836.

3113. There are several illustrations to this volume; for what purpose were they collected?—They are most of them fac-similes of the writings of Irish monks.

3114. Was that for the Fœdera, or for the materials for English history?—Some of the writings of Irish monks are illustrative of history; for instance, there is at Renne, in France, a very curious Irish manuscript, of which there is a fac-simile there, containing the genealogy of the ancient kings of Ireland.

3115. I am alluding to the hand-writings?—With regard to all manuscripts of that early date, it is exceedingly desirable we should be in possession of fac-similes; and I conceive that those fac-similes would be of the greatest possible value, as a contribution to the Ars Diplomatica, with which the commissioners can favour those persons whom they employ. Every fac-simile of early hand-writing may be of great use to all the persons employed by the board as transcribers, or in any other way connected with the study of records.

3116. You published these illustrations of the hand-writing of those early Irish manuscripts to instruct your transcribers in the character of the writings they would have to deal with?—They would be useful for that purpose; but, looking at the doubt that has existed as to there being such manuscripts, either at St. Gall's or other of the old convents founded by the early Irish, the Scoti, it was necessary, to convince sceptics that this was the case, that I should publish these fac-similes. It has been often denied that the state of literature in Ireland was such that those manuscripts could have been written.

3117. Did it enter into your views that it was the duty of the commissioners to clear up that doubt?—If there be any doubt about the propriety of publishing those illustrations, I will pay the expense out of my own pocket.

3118. These illuminated specimens, were they given with the same object, or were not they rather, to speak plainly, matters of literary curiosity than of any historical value?—I have no hesitation in saying I should have thought myself wanting in my duty to the public if I had omitted the opportunity which my researches, and my correspondents abroad, afforded to bring to light such valuable documents, and it would be impossible to give anybody a perfect idea of their value without the specimens. If there be any doubt of it, I shall willingly pay the expense.

3119. In some cases you have taken those illustrations from published works; there is a letter from a foreign correspondent, at page 89, that has reference to this, and praises you for republishing what has been published by Mabillon and Ecart before?—Yes, there is one.

3120. Sir *Robert H. Inglis.*] In regard to the fac-similes of manuscripts by the monks in Ireland, is there any fac-simile of that kind in any palæographical work now in existence?—I do not recollect such fac-similes in any palæographical work, unless there may be one or two in Astle; but I did not cause those fac-similes to be made without consulting persons supposed to be conversant with the Ars Diplomatica, and who advised me it might be extremely useful, with a view to the advancement of that science, that those fac-similes should be given.

3121. *Chairman.*] I see in Appendix (A) a number of names of towns in which no book is mentioned worthy of notice; why did you think it necessary to publish those names?—I have explained, in my former examination, the reason of the introduction of places where there was no particular manuscript supposed to be in existence; but I cite a book which shows the existence of manuscripts at those places, though it is not known what are the names of the manuscripts there; and my reason for doing so was, that in case any English traveller passed that way he might make searches for them.

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3122. What is the Appendix (B.)?—The Appendix (B.) contains every fragment of Saxon that I have been able to discover, with the exception of a psalter, and of some homilies found at Vercelli, in Italy, which were too long.

3123. You conceived it within the province of the commission to publish every fragment of Saxon that could be found?—I did not conceive it within the province of the commission to publish every fragment of Saxon that could be found in every part of the world; but I am quite sure of this, that literary men in general will feel themselves exceedingly obliged to the commission for printing the documents therein contained; and I think I stated on a former occasion some of those documents had already been found useful in enabling a sub-commissioner, Mr. Thorpe, to interpret certain obscure passages in the Anglo-Saxon laws. If, however, the Committee should be of opinion that that Appendix (B.) does not come within the powers of the commission, it is not too late to withdraw it, and it may be paid for out of my own private funds.

3124. Sir *Robert H. Inglis.*] Do you mean by that answer to submit the publications of the Commissioners of Public Records to the decision of this Committee?—No; my reason for that answer is, that, with respect to all these unfinished volumes now upon the table of the Committee, they ought, before they are published, and in fact before the volumes are completed, to be submitted to the commissioners for their directions.

3125. *Chairman.*] I had no reference to the decision of this Committee upon the subject, but to ascertain why you have gone to the expense of printing the work?—They are so intimately connected with the ancient literature of the kingdom, and so capable of illustrating difficult and obscure passages, in the Anglo-Saxon chronicles and laws, that I thought it desirable that they should be printed in this form; and the opinion of our most eminent Anglo-Saxon scholars is the same.

3126. What is their opinion?—Mr. Thorpe and Mr. Kemble think them to be documents of the greatest possible value, and calculated to illustrate passages both in the chronicles and in the laws of the Anglo-Saxons.

3127. It is with that view you have published the Departed Soul's Address to the Body?—Yes. The most valuable part of the volume is those poems from Vercelli.

3128. Are they valuable in an historical point of view?—That poem is cited in the first page of the Anglo-Saxon laws.

3129. I said for an historical purpose?—To explain a passage.

3130. Historically, or with a literary view?—It matters not which.

3131. Sir *Robert H. Inglis.*] With respect to the use to be made of the poem referred to in the last question, are you aware that in Henry's History of Great Britain, and in a foreign work published in France formed upon the plan of giving a history of the literature, the fine arts, the commerce and the law, are comprehended, as well as history, civil, military and ecclesiastical; do you or not consider that a complete history will comprehend all the seven divisions into which Henry has reduced his work?—A complete history must comprehend all those divisions, including a history of the language; and every one of those poems is of very great importance, as affording materials for the history of our early language.

3132. *Chairman.*] If you take such a latitude as that embraced in the question of Sir Robert Inglis, you ought to have published the whole literature of the kingdom?—I hold that it would come within the scope of a board authorized to publish the materials for our ancient history, to publish any documents illustrative of the literature of the country, prior to the Conquest.

3133. What is Appendix (C)?—That I have explained in my former examination. Certain documents were communicated from foreign archives, upon the express understanding that they should be printed; and for that reason they have been printed, rather reluctantly; but that Appendix is not very long. The greater part is from Hamburgh.

3134. Are you aware whether they are original documents?—Either original or contemporaneous copies.

3135. Are you not aware that many of those transcribed from the copies in Hamburgh exist in the Tower, and in the Town-clerk's Office in the city of London?—I am not aware of it; it is possible that they may, but I doubt it.

3136. Here is a poem De Bello Normannico, that is the poem De Belli Hastingensi?—Yes.

3137. That came from Brussels?—Two manuscripts have been used here.

3138. Had not that work been formerly printed by Mr. Petrie?—Yes, I have ascertained it has been printed, while it was passing through the press, from one of these manuscripts, not from both.

3139. Had you not any knowledge of Mr. Petrie's work?—Not before it was in type; I had before it was worked off, and reference was made to it.

3140. Appendix (D)?—Appendix (D) might be published as a separate work; it is fully explained in my former examination.

3141. You have delivered into the House of Commons a return of the books you have bought, and the cost of those books amounts to 1,576 *l.*?—Yes; I stated that, in going through the account again, I made it come to 20 *l.* less.

3142. For what purpose were they purchased?—That is already stated in my former examination; partly for the Fœdera, and partly for the use of the sub-commissioners and editors, but principally with the view of compiling a chronological table of all *diplomes* printed in foreign works, of the same nature as those introduced into Rymer's Fœdera.

3143. You said they were collected for the use of the school of young transcribers?—Some of them.

3144. Where does this school of young transcribers exist?—At the British Museum.

3145. Have they the constant use of those works?—When the British Museum is shut. I am very sorry to say that few have yet made sufficient progress to make much use of the books; but when the Museum has been shut, they have been occupied in Boswell-court, and they have had access to this collection of diplomatic works; from which Mr. Black, who principally superintends the school of young transcribers, has compiled a book for the use of those young gentlemen, and it was his intention to recommend to the Board that a few fac-similes should have been made in order to illustrate the book, and to enable those young gentlemen to pursue their studies with greater advantage. They have been most usefully employed, sometimes four or five, and now not more than three or four, in transcribing the Collectanea of Rymer in the British Museum, which he considers a very good mode of introducing them into the more abstruse parts of the art.

3146. There are quantities of catalogues mentioned here?—Those have been used for Appendix (A); from them I have extracted notices of foreign manuscripts.

3147. For instance, the History of Bavaria; for what purpose was that purchased?—To take a note from it of all *diplomes* connected with English history; and independently of that, the work comes within the scope of the collection necessary to enable us to form a collection of extracts of all passages from ancient German writers, illustrative of the ancient history of England; which was part of the scheme approved of by the address of the House of Commons.

3148. How could it enter into that scheme to make extracts from the history of a German state of very modern origin?—I will suppose a collection of ancient historians of Bavaria, comprehending, in all probability, some writings which contain passages connected with or illustrative of English history. Take the Bavaria Pia, you would there find the history of many Bavarian saints, and some of them English; and that would be, like Saint Gall, illustrative of our history.

3149. There are several books of travels?—The head of Literary Tours is a very copious head in Germany, and it is a peculiar species of their literature. Learned men in Germany are in the habit of making tours to visit public libraries, and noticing all the curious manuscripts and books that exist in those libraries; every one of those books of travels is mentioned as in the nature of some literary tour of the description quoted in Appendix (A).

3150. Here is a book of travels through the Seven Cucumbers, "Durch Sieben Gurgen"?—I do not understand it; it is a place upon the Rhine. It is a clerical error of the copyist; it refers to the Siebenbürgen.

3151. Sir *Robert H. Inglis.*] The question last addressed to you was put from a manuscript in the hands of the Chairman; that manuscript I understand to be a transcript delivered by you as a catalogue of the collection of books formed by you; is such passage, so quoted, a clerical error, obvious to any one who knows the locality to which the subject refers?—It is an obvious clerical error.

3152. *Chairman.*] What is the "Siebenbürgen?"—I take it it is a town upon the Rhine; and I hope that the Committee, when documents are sent to be

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printed in the Appendix, will allow the party who has prepared them to inspect the proofs.

3153. Sir *Robert H. Inglis.*] The catalogue, in respect of which the last questions have been addressed to you, is signed "Charles Purton Cooper, New Boswell-court, 15th of January 1836." Explain to the Committee under what circumstances such signature was attached to the manuscript in question?—It is a portion of the returns to Parliament; and without a great deal of expense, delay, and trouble, it would have been impossible to make it perfectly correct; almost all of it being in foreign languages, and being copied by law stationers.

3154. *Chairman.*] Did you think it necessary to purchase such large and expensive works as Baronius, in 19 volumes folio, and Bede's works, Histoire Littéraire de France, and four copies of Dugdale's Summons to Parliament, and other works of that extent?—I thought it necessary. Dugdale's Summons to Parliament has been in the hands of various sub-commissioners and editors. With regard to Baronius, it is full of historical materials.

3155. Sir *Robert H. Inglis.*] Was it your object to form a perfect historical, palæographical and diplomatical library, for the use of persons publishing works under the direction of the Board?—The object was twofold; to form a complete library of diplomatic books, and next to form a collection furnishing the means of drawing up, not only a complete chronological catalogue of all *diplomes* printed abroad, of the nature of those inserted in the Fœdera; but also a selection of passages relating to English history, from the ancient historians published upon the Continent.

3156. *Chairman.*] Where are those books kept?—Almost all of them are in Boswell-court. Mr. Hardy has one work, and Mr. Black has many others; Sir Francis Palgrave has the Magnum Bullarium Romanum, in 19 folio volumes.

3157. Mr. *Pusey.*] Will you give the Committee a general notion of what progress has been made towards the completion of the collection of the ancient historians of Great Britain?—The text of the first volume is complete, and a portion of the Index is printed; the Excerpts from the Greek and Latin writers are printed; the Prolegomena are not yet printed.

3158. How many more such volumes do you apprehend will be necessary to complete the undertaking?—I think about 20 folio volumes were contemplated in the original plan; but there are two distinct works that have been lately separated from the Materials for the History of Britain, namely, the Anglo-Saxon Laws, which are confided to the editorship of Mr. Thorpe, and the Welsh Laws, to that of Mr. Aneurin Owen. These works will be edited so that they can be published separately from the Materials for the History of Britain; and they are printed in octavo also.

3159. Within what time do you think the whole of the work will be completed?—The work is at present suspended, in consequence of the Board's dissatisfaction with the progress made by Mr. Petrie. The first volume is suspended; and the Commissioners are now in communication with the Treasury on the subject.

3160. Did you understand the question to refer to the completion of the whole work referred to in the address of the House of Commons; and in what time do you think it will be completed, according to the rate at which it has proceeded hitherto?—It is impossible for me to answer the question. Mr. Petrie's health has been such as to retard the progress of the volume; and I cannot form any opinion when it will be completed.

3161. Can you suggest any mode by which it can be proceeded with, with greater rapidity?—I cannot suggest any mode except the appointment of a new editor. I believe the work could not proceed upon the present plan more rapidly. I think it is impossible to publish more than one volume in two or three years. Mr. Petrie's notion was that one volume might be published per annum. I think he was wrong. If the plan of Muratori had been adopted instead of Dom Bouquet's, the whole might have been completed in four years; because distinct chronicles might have been placed in the hands of different editors, and all their works might have formed part of one large collection: but, according to the present plan, only one person can very well work upon it. The chronicles are divided into periods, and a portion of the Anglo-Saxon chronicle down to the Conquest is printed first, reserving the subsequent part for another period.

3162. From your extensive antiquarian knowledge, do you not consider it exceedingly desirable that this work should be completed in a reasonable period?—I think

—I think it very desirable; my private opinion is, that it would be better to complete this one volume upon the present plan, and give it to the public, and then to proceed, as the French government is now doing, upon the plan of Muratori, and so to publish the entire Chronicles, selecting different editors for different works. Thus, in the course of five or six years the whole of the Chronicles might be published. *Charles P. Cooper, Esq.* 2 May 1836.

3163. Do you conceive that any individual could at this time undertake to write the early history of Britain without exposing himself to the risk of having his work superseded, or being required to re-write it, in consequence of the documents that may appear when this work is completed?—I think that no individual can write a correct history of England before the Conquest, unless he had access to every inedited chronicle; and since the Conquest, I am confident that when the records and other materials are produced, the History of Britain must be re-written. Our History at present consists of as much romance as matter of fact.

The Rev. *Joseph Hunter*, called in; and Examined.

3164. *Chairman.*] ARE you a Sub-commissioner under the Record Commission?—I am. The Rev. *Joseph Hunter.*

3165. When were you appointed?—On the 22d June 1833.

3166. Did you make any engagement previously to being appointed?—I had an interview with the secretary, and it was arranged that if the board chose to appoint me a sub-commissioner, I was willing and intended to accept of the honour.

3167. Had you any communication with the board direct, before you were appointed?—None at all.

3168. Had you any written engagement before or after?—The secretary announced to me that the board had appointed me a sub-commissioner.

3169. Did he announce that to you verbally or by writing?—Of that I am not quite certain, but I can inform the Committee. I think it might be in both ways.

3170. Did he inform you of the terms of your engagement with the board?—He did.

3171. What were they?—That I was to receive 300*l.* a year; and for this I was to do work equal to the editing of two octavo volumes; that I might do more, and if I did more, the board would think it right to give me some additional remuneration.

3172. We have understood that by the first engagement your emoluments were fixed at 300*l.* a year; was that so?—That, in connexion with the amount of labour, it was.

3173. And it was necessary for the board to come to a fresh decision, when it determined that your payment might be allowed to amount, for work done, to as much as 450*l.*?—In what way the board regulated the payment I did not know, nor do I at present know. I understand my remuneration was settled by the board, and of course any alteration in it would be subject to the same control which the board exercises over every other portion of its pecuniary concerns.

3174. Did you know when your salary was raised to 450*l.* a year?—Yes.

3175. Was that in consequence of an application from you?—Yes, I think I may say partly that it was.

3176. When was it?—It was towards the close of the first year: whether I first mentioned it to Mr. Cooper, or Mr. Cooper mentioned it to me, I am not certain. I believe I might say I had performed labour far more than equal to the production of two octavo volumes, and therefore I submitted I might be entitled to an additional remuneration.

3177. You had edited two octavo volumes?—No.

3178. How did you estimate labour of another kind; by the number of octavo volumes?—I must needs say the comparison is not very easy, if great exactness was required; but the amount of labour I had gone through was much greater than the quantity of labour that would have been required to produce two of our octavo volumes.

3179. It appears from the Agenda that the first object of your appointment was to perform the task of collating the printed volumes of the Valor Ecclesiasticus with the original records, and forming a table of corrigenda?—I believe there was once such an intention on the part of the Board, but it was relinquished when it was found that the task was one of very great extent indeed. The Committee are probably aware that the Valor was 18 years in passing through the press.

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Now the collation and the publication of the corrigenda of these five folio volumes could not, I think, have been performed by any person in less than two or three years; and I incline to think it would have required more. It then became a question whether the results of such an operation would not have been too dearly purchased at the cost of probably 1,500*l.*, or from 1,000*l.* to 1,500*l.*: that would have been the least sum it could possibly have cost, if done by me.

3180. The existence of numerous errors was perfectly established, was not it?—I believe I am the person who first drew the public attention to certain errors in a portion of that work; and I had paid sufficient attention to that portion to say I could not think it a well-edited book, it being a reasonable presumption that in other parts similar variations might be found.

3181. The errors were not corrected?—The errors could not be corrected except by a collation, and that would have required the labour of one or two persons for, I should think, two or three years.

3182. In the Agenda it is mentioned, in page 563, that unforeseen difficulties had occurred in the way of correcting those errors; what were those unforeseen difficulties; the expense you have alluded to?—I conceive that must be the meaning.

3183. So that the work was published without the corrigenda that you thought so necessary?—The Valor had been published long before the corrigenda were thought of. I beg leave to submit to the Committee that the work is an exceedingly useful book, though it is not in some parts edited with that extreme care it may be said to deserve; it is not equal to what might be expected.

3184. Do you know of any portions of the Valor lately discovered in the Augmentation Office?—I have heard that there has been a portion of the Valor lately discovered in the Augmentation Office. It has been given in evidence before the Committee that a portion of the Valor has been there discovered relating to a Welsh diocese. I have been to the Augmentation Office to inspect that document; and the information that has been given to the Committee in respect of it being of very great importance in more points of view than one, I now give in evidence that the document shown me is a portion of the Valor for a Welsh diocese——

3185. By whom?—Once by Mr. Cole and once by Mr. Adlington, who has the care of those records. This is the document which the witness to whom I allude, Mr. Protheroe, stated to be a part of the Valor. I deliver as my deliberate opinion that it is not a portion of the Valor; and if the Committee wish me to enter into the proof, I can do it in a very small compass, and can satisfy them that it is not. I hold it to be a matter so exceedingly important, that I think the fullest information should be entered upon the Minutes of the Committee respecting it. The Valor is a return certified into the Court of Exchequer by certain commissioners appointed by the 26 Henry 8, c. 2, who were to certify the value of benefices, chantries and religious houses, and all descriptions of ecclesiastical property in the country. Those commissioners did certify accordingly into the Exchequer from their respective districts; those returns are the Valor Ecclesiasticus of Henry 8, or popularly, the King's Books. The return which they made for this Welsh diocese in question is now at the First Fruits Office; therefore being at the First Fruits Office, (and there were not two certified returns,) being at the First Fruits Office, it cannot be at the Augmentation Office. But furthermore, I think I can tell the Committee what this document at the Augmentation Office, which is alleged to be a portion of the Valor, really is. The commissioners were empowered to call before them all persons who could give them information, so as to enable them to make their return complete. What I found at the Augmentation Office, and what is alleged to be a portion of the Valor, appears to me to be like some things printed in the Appendix, information tendered to the commissioners; and the reason why I think so is this: that there are the names of the superiors of religious houses attached to portions of it, and of beneficed clergy of the diocese to other portions, in their autograph signatures. The importance of distinguishing between the genuine Valor and this, which is held out to be a portion of the Valor, arises out of the extreme importance of that document itself; the Valor Ecclesiasticus being, as is well known, the most valuable record of the realm relating to ecclesiastical property. When, therefore, it is alleged that there is something in the Augmentation Office, or any other office, that is a portion of the Valor, which is not a portion of the Valor, it is *pro tanto* an impeachment of the dignity of that record; and inasmuch as this document

ment at the Augmentation Office, which is avouched as a portion of the Valor, is in some points at variance with the genuine Valor at the First Fruits Office, there is an uncertainty introduced where everything ought to be clear and distinct, and open to no suspicion of incorrectness. I beg to add, that when I state that the original return is at the First Fruits Office, I do not mean to say that I have seen it there, but it is printed in the printed volumes; and as all in the printed volumes which appear as Valor was, as I understand, at the First Fruits Office, I conclude that these returns are there. Another point of view in which that part of Mr. Protheroe's evidence appeared to me of great importance is this: Mr. Protheroe rests his opinion, that the arrangement should be carried to a much greater extent before publication is thought of, upon this supposed discovery of a portion of the Valor, and, as far as the evidence went, upon that alone: this, at least, was the only particular instance which he adduced. Now, as far as so important an opinion as that we are not in a condition to publish records on account of the possibility of finding other documents which ought to make a part of such publications, rests upon this supposed fact, it rests upon an insecure basis, inasmuch as this, which is alleged to be a portion of the Valor, I venture to assert is not Valor.

3186. Do you think it would not be proper to complete the arrangement of the records before publishing them?—I think the arrangement cannot be carried to too high a point of order and perfection.

3187. Do you not think that the commission, in publishing the records now, is more or less liable to fall into the errors imputed to them in this case, but which it appears they have not fallen into?—There cannot be the slightest doubt that the arrangement of the records should be carried to the highest point of perfection, and that there should be abundant means of knowing the contents of every office.

3188. Do you think the publishing can go on with any propriety or security until that is done?—I certainly do with respect to most works. If the Chairman would mention any particular work that the board has ordered to be published, I could give a more distinct answer. If he mean, for instance, do I think that the Close Rolls might be published now without waiting for any further searches, I should say yes, and so of the Patent Rolls.

3189. Those are works of which you are certain almost there are no others. Take the Parliamentary Writs?—I am rather doubtful there whether sufficient search has been made; I believe there has not, if you are to expect that the work should be brought to an *ad unguem* perfection.

3190. Should not it have been a reason for postponing them till the last, that that was a work that could only be rendered complete by a thorough knowledge of all the records of the country?—I am inclined to think, judging from the high opinion that I have of Sir Francis Palgrave's ability, that he has brought to light all that exists in the Record Offices upon the subject.

3191. The opinion you have stated just now is inconsistent with the fact you stated before, that it would not be possible to inspect all the documents necessary to make a complete collection of the Parliamentary Writs. I understood you to say, that the Parliamentary Writs was a work upon which you could not say with confidence it was complete?—No, nor could I say so 20 years hence.

3192. If you had all the records in the country in a thorough state of arrangement, you could say whether it was complete with the same confidence as any other work?—No, I could not say it was complete at any time; new materials, for instance, might turn up on the Continent.

3193. I do not hold the commissioners here to be responsible for information that exists on the Continent; but do you not still think, in spite of the care of Sir Francis Palgrave, it may turn out possibly that there are Parliamentary Writs which he has not put into his collection?—I think there is a possibility of it.

3194. Not a likelihood?—The degree of probability I cannot state. The answer I ought to give is, that I cannot say.

3195. Sir *Robert Inglis.*] Do the answers recently given by you refer to an antecedent period, before the date at which the publication of the first volume of the Parliamentary Writs commences, or to a period subsequent to that date; in other words, do you mean that new materials might be discovered which ought to have been known to the editor or to the commissioners prior to the publication of the first volume, and the non-insertion of which would render that volume incom-

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plete, or do you mean to say that materials exist for the formation of a volume anterior to that date, and that that should be called vol. 1?—It is very well known to the Committee that it is a great question whether Sir Francis Palgrave ought not to have taken an earlier period for the commencement of his work: into that question I am not able to enter, or give any information at all valuable to the Committee. I do not know, that is I have no certain knowledge, that there are any omissions at all.

3196. *Chairman.*] Do you know whether a file of Parliamentary Writs of the 35th year of Edward the First, was found about nine months since?—No, I am not aware of that. I hold the labours of Sir Francis Palgrave in very high estimation.

3197. The question was, whether it is possible that such a thing might have occurred: might it have occurred without any discredit to Sir Francis Palgrave?—Yes, I think it might.

Mercurii, 4° die Maii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Pusey.
Sir Robert Inglis.	Dr. Bowring.
Sir Matthew Ridley.	

MR. CHARLES BULLER IN THE CHAIR.

The Reverend *Joseph Hunter*, called in; and further Examined.

The Rev. *Joseph Hunter.*

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3198. The *Chairman.*] HAVE you any statement to make explanatory of your evidence at the last meeting of the Committee?—I was asked, whether the fact that I was appointed a sub-commissioner was communicated to me verbally or in writing. My answer to that question was, that I could not say with precision, but that I would communicate to the Committee this morning the circumstances under which my appointment took place, and the manner in which Mr. Cooper communicated with me upon it.

3199. Have the goodness to state it?—I believe the appointment was both verbal and in writing; but I will now state the circumstances in detail. In November 1831, I wrote a long letter to Mr. Bellenden Ker, a commissioner, on the subject of the proceedings of the Commission, in respect of the publications past and intended. I communicated with him through a mutual friend; that friend communicated to me, on March 11, 1833, a letter of Mr. Ker's, in which he informs him, that the letter which I had addressed to him had been put into the hands of Mr. Cooper, and was printed in the Agenda; and he further acquaints him that it is probable the board will soon be in a situation to ask my assistance upon some antiquarian matters. He then inquires if it is probable I shall soon be in town, and whether I shall be likely to undertake any employment under the Commission for a reasonable remuneration, using the word reasonable in opposition to the word exorbitant; he then refers me to Mr. Cooper, as being the secretary, and at whose request he wrote, and he suggests that I should write to Mr. Cooper. I did accordingly write to Mr. Cooper, mentioning that I had received this communication from one of the commissioners; Mr. Cooper, in reply, expresses a sentiment correspondent with that of Mr. Ker; and he stated that it would not be easy to come to an understanding by correspondence, but if I was coming to town, and would call upon him, the business might be possibly arranged. I did repair to London, and had an interview with Mr. Cooper; he corroborated to me what I collected from Mr. Ker's letter, that it was the wish of the board to engage my services. I expressed a willingness to render my assistance; it then only remained to arrange the terms of my engagement as respected employment and as respected remuneration. Mr. Cooper stated that the engagements of the board would not permit him to propose so liberal a remuneration as might seem, I may say, reasonable; finally, it was arranged that I should receive 300*l.* a year; that

that this was the sum which the board had determined as being the proper remuneration for the production of two octavo volumes; so that, if I produced two octavo volumes, I had earned my 300*l.*, or, if I had done work that was equivalent to the production of two octavo volumes, I had earned the 300*l.* It may be, perhaps, proper to state to the Committee, that my employment was to be of various kinds, not editing only, though editing was to be the principal employment; but it was understood I was to lend what knowledge or what powers of any kind I had to the Commission, in any way in the discharge of their duties. It was further understood and agreed between us, that it would be probable that I might perform more labour than that for which the 300*l.* was appropriated; and that if I did so, the board would think it reasonable that I should receive an additional remuneration.

3200. Was this a verbal understanding or in writing?—If the Chairman will allow me, I will proceed to show how far it was in writing and how far verbal; this was the effect of the conversation that took place between Mr. Cooper and me.

3201. Confine yourself to the writing, we understand the verbal communications that took place between you?—I must state, before I go to what was written upon it, that in thus negotiating with Mr. Cooper, I did not consider myself as negotiating with Mr. Cooper, as Mr. Cooper; I was negotiating with the proper representative of the board, Mr. Ker, one of the board having spoken of Mr. Cooper as being the organ through whom the board made its engagements; therefore my conversation with Mr. Cooper was a conversation with the board.

3202. You considered the conversation with Mr. Cooper as equivalent to a conversation with the board?—I considered Mr. Cooper the agent of the board, deputed for that special purpose.

3203. Did you ever see any minute of any authority given to Mr. Cooper to act as the agent of the board, or did you take him as the agent of the board, merely relying upon his capacity of secretary?—Mr. Ker had represented him as the agent of the board. Mr. Ker states, after having inquired if I were likely soon to come to London, "Mr. Cooper is our secretary; the best mode will be for Mr. Hunter to write to Mr. Cooper direct;" I could not be mistaken.

3204. That letter of Mr. Ker does not amount to an authority on the part of the board; and therefore it comes to this, that knowing Mr. Cooper was the secretary, you treated with him as the agent of the board?—Exactly so. I may perhaps state, that previously I had not the slightest degree of acquaintance with Mr. Cooper, and that my engagement was an engagement, not with Mr. Cooper, but an engagement with the board. I had no more to do with Mr. Cooper than I should have had to do with any other person who might have been employed by them for this purpose.

3205. What I want to know is this; your engagement with the board was an engagement by the secretary?—No; I should not so state it. It was an engagement with the board, the board acting with me through their recognized organ, the secretary; but I hold that to be a different statement from being engaged by Mr. Cooper.

3206. By the secretary, I said?—Secretaries may act in their individual character; what I wish to impress upon the Committee is the truth, and a material truth it is in the course the Committee are now taking, that Mr. Cooper, as the secretary of the board, was the organ of the board.

3207. How did you know he was the organ of the board?—It was a matter of public notoriety that he was the secretary of the board; and I had received evidence from one of the commissioners upon the subject.

3208. Does not your evidence come to this, that knowing Mr. Cooper to be the secretary of the board, you thought treating with him was treating with the board?—Yes; I did it, knowing by public notoriety that Mr. Cooper was the secretary, and being referred to him by Mr. Ker, it never entered into my mind to suppose that he was not legitimately authorized to confer with me, all being prospective to laying the circumstances before the board when assembled.

3209. Were they laid before the board?—I believe they were.

3210. Did you receive any communication, purporting to be the proceedings or a resolution of the board, confirming the engagement made by Mr. Cooper with you?—I did.

3211. Where is it; ——?—If you will allow me, I will lead you up to that. I then returned home to Bath; I had a letter from Mr. Cooper, in which, in

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answer to some inquiries I made, he says, "No opportunity shall be lost so to frame the orders for your employ as to unite you indissolubly with the board." He writes to me again, "It gives me great satisfaction that all your family approve of your determination; and I hope, in a few weeks, to see you inseparably united to the record board." Again, "There has been only one board since you were in town; I could not then do more than put your name on the minutes, as entering the service of the commissioners; an early opportunity, however, shall be taken of giving such permanency to your employ as can be secured by the formal resolution and order." I can give not the slightest particle of information as to the mode in which Mr. Cooper received his authority from the board.

3212. What I want is the authority of the board, upon which you conceive your engagement to be ratified?—A board was held June 22d, 1833, when this resolution was passed; "Resolved, that the Reverend Joseph Hunter be appointed a sub-commissioner." I came to town on the 24th of June; there was no time, therefore; the intervening day, I may say, was a Sunday, there was no time to have communicated this to me by letter; as soon as I came to town I waited upon Mr. Cooper; and Mr. Cooper told me that this resolution had been passed the Saturday preceding; and he further, either then or soon after, showed me the entry of it on the minutes of the commissioners.

3213. In that minute was your salary fixed?—It was not.

3214. When was it fixed, do you know?—I do not know; that was a matter between the commissioners and secretary.

3215. How and when were you informed what your salary was to be?—I had no written account of the amount of the remuneration.

3216. You were informed verbally by Mr. Cooper when?—In fact, as we had settled the terms when the board passed this resolution, it of course comprehended and was founded upon the understanding as to the remuneration and labour.

3217. Suppose there was a dispute between the board and you about the amount of your salary, and suppose the board had said, "We engaged you as a sub-commissioner, but we never engaged to give you a salary of 300 *l.* a year;" what proof had you that the board had authorized you to expect a salary of 300 *l.*?—Within the first three months I could have had no proof; I could only have referred them to the secretary. The resolution, and the minutes which I made at the time of the conversation, were all I could have relied upon.

3218. Sir *Robert H. Inglis.*] But after the first three months, did you or not receive evidence from the board itself, in the shape of a payment, through the hands of the same gentleman acting as secretary, which showed that his conduct towards you was adopted and recognized by the board?—Most certainly.

3219. The *Chairman.*] But it appears you entered upon this engagement, the authority for your engagement being the minute of the commissioners appointing you a sub-commissioner, but not specifying any terms or salary; and that the terms and salary were entirely settled between you and the secretary?—It was so.

3220. Subsequently your salary was raised to 450 *l.* a year?—Yes.

3221. When was that?—It was so, in fact, from the beginning. I have stated to the Committee already that 300 *l.* a year was for a certain amount of labour; but if I did more I was to receive more; that was part of the agreement, just as much as the 300 *l.* Now for the first year I certainly did perform much more labour than was equivalent to the production of two octavo volumes; without exaggeration, I think I may say I did what was nearly equal to twice that amount. At the end of the year, I stated to Mr. Cooper, or he stated to me, I declare I do not know which, it was almost simultaneous, that I had performed this great additional amount of labour, and I thought there was not any thing unreasonable in my requesting that I might have an additional amount of remuneration, especially, as one reason why, the sum, which to all my friends appeared most exceedingly inadequate for the services I was about to render, and did render, and all the inconveniences in changing my place of residence——

3222. Nobody is disputing or wishing to inquire into the propriety of the amount of the salary; the Committee wish to know what the proceedings of the board were with respect to the raising your salary from 300 *l.* to 450 *l.*; when did you first know, and how did you know, that the board had agreed you should be remunerated at the rate of 450 *l.* a year?—I knew it in exactly the same manner that the original agreement had taken place. I knew it by a communication with the secretary, the secretary acting as the organ of the board.

3223. Is there any minute respecting the raising your salary?—I never saw any minute of the original salary, or the raising of it.

3224. There is none of the raising it?—I never saw it; I never saw any part of the accounts of the commission; it never fell into my province to see any part of the accounts.

3225. This is not a matter of account, but a matter of authority. Suppose when the first quarter of your salary became due the commissioners had objected to pay it, what proof of the validity of your claim to that amount could you have produced against the commissioners?—I was in the same situation as with respect to the original sum; for the first three months I could not produce any evidence, but after the first three months there was evidence that the secretary was doing what the board had authorized him to do.

3226. But in the first instance all the arrangement with respect to your salary was made between yourself and the secretary, as the organ of the board?—The honourable Chairman has correctly stated the situation of the matter.

3227. Have you any thing further to state?—Yes; I wish to state that my appointment thus placed me in a situation of entire independence on Mr. Cooper; my appointment was correlative with his; it is well known to the Committee that His Majesty's Commission directs that the commissioners shall appoint sub-commissioners.

3228. The Committee know you are a sub-commissioner; there is no dispute about that?—It has been stated that I am in some degree dependent upon Mr. Cooper, and I am anxious to repel it.

3229. Who stated that?—Mr. Protheroe, in my hearing, stated it in what to me was an offensive way. I hold myself entirely free from any state of servile dependence upon Mr. Cooper or any man.

3230. If Mr. Protheroe, in describing the dependence of gentlemen employed by the commission, stated that from that dependence he did not even except you, was he correct?—I should say he was not correct; that is, I consider my appointment as correlative with Mr. Cooper's; the Commission authorizes the commissioners to appoint sub-commissioners and a secretary; the board appointed Mr. Cooper secretary and me a sub-commissioner; that is, our appointments were co-ordinate.

3231. Have you, as sub-commissioner, attended any meetings of the board?—Never.

3232. Have you ever had any communication with the board except through the secretary?—Never; I have never had occasion to have any.

3233. Have the communications from the board to you been in the shape of resolutions of the board, or mere communications from the secretary?—They have been for the most part communications from the secretary; resolutions of the board have been sometimes shown to me, but I do not recollect that any resolution of the board has been transmitted to me by the secretary, except one; one has, but besides that I do not recollect any other.

3234. Have you any further statement to make about the Parliamentary Writs?—Yes, I have. In speaking of the necessity for further searches in the offices, before publication could be determined upon, I was asked if I did not think the Parliamentary Writs an instance of that necessity. Now the idea in my own mind, and that which I meant to communicate to the Committee, and that which I thought I had communicated to the Committee, was this: that that work was more likely to require more extended search than any other work published by the Commission, from its nature; not that I meant, as my words seem to have been understood, I dare say, perfectly rightly, and that I did not express myself with the precision I might have done; I seem to have been understood as if I stated that the work itself was incompletely performed.

3235. That was not the meaning with which the questions were put to you; not that you stated that that work was incompletely performed, or that you had evidence of it, but whether, from the nature of the work, you did not conceive it would be impossible for you to say with absolute certainty that the work was complete at the present moment?—Undoubtedly, what I intended to communicate to the Committee was this: that, from the nature of the work, it is not to be supposed that such a work can be complete; it can no more be complete than the Fœdera can be complete; no work of that nature can by possibility ever be declared complete. Now I will explain at once what I mean.

3236. Have the goodness to confine your answer, with respect to completeness,

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to the same kind of completeness to which the question extended; complete so far as regards documents existing in the different offices in this country?—But the honourable Chairman must be aware that that book does not consist of documents only in the record offices.

3237. In what place then?—Documents not in any office at all.

3238. What kind of documents?—It contains documents from monastic chartularies, for instance.

3239. I am speaking of those documents in the Parliamentary Writs that are in the record offices of the country. I wish you to confine yourself specifically to them, and whether you can say with any certainty that that work contains a complete collection of all such documents in the record offices of the country?—I have no certain knowledge whether it does or does not; but I have heard—indeed it was stated by yourself—that certain documents of the same kind, of a certain year of Edward the First, had been found, and I have no doubt it may be the case.

3241. I did not state it as a fact; but when I mentioned it to you as a matter I had heard, can you say positively it is incorrect?—By no means. I think it very probable there may be documents of that class that may not have been brought to light; and to speak of the Parliamentary Writs being complete, in the sense in which the word complete is used, is to apply a term to it which I hold to be inapplicable; such a work, from its nature, never can be safely affirmed to be complete.

3242. If the fact is as I have stated, it is clear that the work is not as complete as it would have been had all the documents of the kind existing in the record offices of this country been perfectly known?—There is a difficulty, inasmuch as the book is not consisting only of documents in the record offices.

3243. Ought it not, at any rate, to contain all that is in the record offices in the country?—It ought.

3244. Sir *Robert Inglis.*] The questions have assumed that certain omissions are found in the Parliamentary Writs; do you or do you not, of your own knowledge, admit the fact assumed?—Sir Francis Palgrave has himself, in the preface to the Parliamentary Writs, stated it with great fairness.

3245. The *Chairman.*] Stated what?—The nature of that success which is to be expected in recovering documents of the class of which the book consists.

3246. Have not the difficulties which Sir Francis Palgrave experienced in this work been mainly caused by the want of arrangement of the records?—Whatever difficulties may have been found with respect to the collection of those documents in the record offices, must, I conceive, principally be attributed to the want of arrangement and catalogues.

3247. And in addition to those difficulties, do you not think it possible, I am not stating it as a fact, that owing to the same causes, the want of arrangement, documents that ought to have entered into Sir Francis Palgrave's book have not been entered there?—I think it probable that the documents will be making their appearance that are of the class of those of which the Parliamentary Writs consist, and which, if they had been in the possession of the editor, would have found a place in that work.

3248. Do you not attribute that probability to the want of arrangement and proper information respecting the documents that exist in the record offices?—I do not think that the charge of want of arrangement applies very much to the record offices; my persuasion is that Sir Francis Palgrave did search in the record offices with very great assiduity, and that he has brought to light very much of what suited his purpose that was to be found there.

3249. Can you or he feel secure he has brought to light all?—No, I should not say that; I will take the King's Remembrancer's records; when the first volume of that work was printed, those records were in great disorder, as it has been mentioned before; and if among those records any Parliamentary writs have been discovered, if they belong to the period to which Sir Francis Palgrave's work is confined, if he had been in possession of them he would have introduced them.

3250. Is not this work an instance of the necessity of arrangement going before printing?—To a certain extent it is, as I stated before; and here now we see the importance of what I was going to state when I was thought to be wandering from the subject, that this work from its nature never can be complete, because it does not merely consist of matter in the record offices, but of matter in all the great libraries of England; I know a chartulary myself that contains writs of summons

mons to Parliament, and I believe that that chartulary was unknown to Sir Francis Palgrave; nor only ought the monastic chartularies to be searched, but the chartularies of the great houses of England, the chartularies of the Percies, the Courtneys, the Hungerfords, of all those families chartularies exist, and to have a work upon the Parliamentary writs complete, the editor ought to be acquainted with all those chartularies, and many others; if you say that the work is not to be published till the editor is acquainted with all the chartularies to be found anywhere, and with every document which may by possibility anywhere exist in England, then it is hard to say when such a work can be produced at all; an approximation to completeness is all that is to be expected. There may therefore evidently be a reasonable amount of success to justify publication, and such I conceive to have been the case in respect of the Parliamentary Writs published by the Commission, and that there was little reason to delay the publication in expectation of further discoveries.

3251. But you stated yourself that the difficulties of Sir Francis Palgrave were very much increased by the want of better arrangement in the offices?—I do not know that I stated that the difficulties were great in consequence of the want of arrangement, I do not know that it was so; but the better arranged the records are, the more easy it would have been for him to discover the documents he wanted; he must have depended also a great deal upon information obtained from the keepers and other gentlemen in the offices.

3252. Mr. *Pusey.*] Would it not be desirable when any similar publication takes place, where there is reason to suppose the materials exist in private as well as public collections, that steps should be taken either by communication with the representatives of families, or even by advertisements, to obtain access to those documents, and thereby insure the utmost possible completion to the collection?—I do think so. Before we quit this very important subject, the question of the publication of records, if the honourable Chairman has no other question upon it he wishes to put to me, I should be glad to have an opportunity of making a statement; the subject has been brought before me twice; when Mr. Protheroe published a letter on the proceedings of the Commission, he advanced the position that publication must be delayed to make way for arrangement; he sent to me a copy of that letter, and I wrote to him remarks upon that particular statement in it; he expressed himself satisfied, I will not overstate it, that he had taken perhaps too strong a view of the subject. It was again brought before me in a report that was put into my hands some months ago, in which it was stated that not only the publications of the Record Commission, but that almost every record publication, was incomplete from the want of better acquaintance with the contents of the record offices. This led me to reflect again upon the nature of the allegation, and I examined the various record works published by the commissioners, and other record publications, and with respect to many of them I state to the Committee, that to say they are imperfect is much the same thing as saying that a circle can be rounder than it is; I mean by imperfect incomplete; I do not mean as to the editing; there may be mistakes in the editing; I do not mean to use the word incomplete in reference to that, but as to the whole considered in a mass; for instance, Doomsday Book is a complete publication; you can no more enlarge it by searches in the offices than you can enlarge any other finished work.

3253. *Chairman.*] You have given us instances of works you can enlarge; for instance, the Parliamentary Writs?—Yes, but some of the works are entire, and you may just as well delay the publication of them in the hope of something turning up, as delay the publication of Paradise Lost in expectation of finding a thirteenth book. This with respect to several of the publications of the Record Commission, others from their nature may have additions made to them by future discoveries, but those I do not consider to be many, nor do I consider the want of arrangement, as far as there is a want of arrangement, for the Committee seem to be taking for granted that there is a great want of arrangement in the offices, which I do not admit, that this want of arrangement ought not to delay the publication; there is enough already arranged for publication, so that publication can go on correlatively with arrangement.

3254. You seem to think it very desirable that the board should print works; do you prefer printing to transcription as the means of perpetuation?—Most certainly; there is no comparison between the two; making a transcript means that there should be two copies instead of one.

3255. I used the words for perpetuation?—If there is a transcript there is a

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double chance of the preservation of the matter of the record; but if preservation only is looked to, there is no way of securing the preservation that can be at all compared to the press.

3256. But that is infinitely more expensive?—Yes; if perpetuation only is looked at, to make a copy of a record, and to keep it at a distance from the original, doubles the chances of preservation from accident by fire or water or tumult, and from that gradual process of deterioration against which no care can guard; so that even one transcript may be said to be sufficient, if perpetuation is the single object contemplated, and hence arises the value of the transcripts made by the antiquaries of the 17th century; there are many transcripts made by those eminent antiquaries in the time of Charles the First, and which are of great value, inasmuch as some of the originals may have entirely disappeared, or become impaired by use and age.

3257. Sir *Robert H. Inglis.*] You descend to the time of Sir Matthew Hale and Mr. William Petyt?—Yes; but I more especially alluded to D'Ewes and Dodsworth.

3258. The *Chairman.*] Were you employed to collate Mr. Devon's edition of the Chancellor's Roll?—Yes, I was.

3259. In what state did you find it?—The Committee must be aware I am under the necessity of stating things that cannot be agreeable to other parties.

3260. Sir *Robert H. Inglis.*] You are not a voluntary witness on the occasion?—No.

3261. You consider yourself summoned by the Committee, and do not consider yourself a volunteer in giving the information you are about to give?—Yes; certainly.

3262. The *Chairman.*] Was not it very inaccurate?—I will state the impression upon my mind with fairness, and it appears to me there had not been a reasonable amount of attention bestowed upon it.

3263. Was it very inaccurate?—There were a great number of inaccuracies; but I ought to state, and it is but right to state, that at that time I was new to the matter of record editing, and I was not so sensible as I have since become of the difficulty of the operation.

3264. Was the Index worked off before you had any thing to do with it?—Yes, the entire volume was finished, and put into my hand as complete; the Preface, the Work, the Collation of the Pipe and Chancellor's Roll, the Index, was entirely finished before I had any thing to do with the Commission; only the title page was wanting.

3265. What did you do with the work?—It was the first business put into my hand by the board; I was desired to see in what way it was done; that is, I was instructed to collate it with the editor. I did so collate it; I went over the roll and the book with him, and we did discover a great number of variations from the original, many of which I considered of considerable importance.

3266. What did you do in consequence of this discovery?—I endeavoured to mend the book, and make it more accordant with the original which it represented.

3267. Did you mend it?—Yes, I did.

3268. Were sheets cancelled?—Yes, a great many leaves, and I believe some entire sheets were cancelled, and there is a table of corrigenda besides.

3269. Did you do any thing to the Index?—I did not touch it.

3270. Is the Index a good one?—I did not consider the plan of the Index a good one at all.

3271. Did you state as a reason for publishing this volume, it was published, not on account of its curiosity, but on account of its easiness of access—(page ix. Chancellor's Roll)?—The expression, "not on account of its curiosity," cannot be mine.

3272. Did you consider it a curious work?—Yes, I did.

3273. Does not it seem an odd reason to give, that the work is published, not on account of its peculiar curiosity, but the greater facility of access it afforded?—No; peculiar curiosity is there used in reference only to the series to which it belongs; this roll of the 3d of John is of no more curiosity than the roll of the 4th of John; but as respects other documents, or speaking absolutely, it is like all the other early Chancellor's Rolls, of great curiosity and value. As to the facility of access being a reason for the publication of that rather than any other Chancellor's Roll, I know nothing about it, except that the fact was communicated to me by

the Secretary of the board, that this facility of access was the reason why this was printed rather than any other Chancellor's Roll.

3274. Are you publishing the General Report?—I am: I beg pardon, I ought not to say that I am publishing it.

3275. Editing it, or superintending it?—I am preparing the General Report.

3276. What are your duties upon it?—There was an order of the board, directing that I should prepare Heads of the General Report, and arrange certain Returns and Reports which the Commission has obtained relating to the Record Offices, to Public Libraries and Corporation Archives, to be an Appendix to the Report.

3277. Did you make any alterations in those Returns?—In the Returns the only alteration I recollect to have been made was in a Return, I forget from what office it was, but there had been returned a long list of the publications of the board as being part of the contents of the office; I thought it quite unnecessary to print this, and I therefore left it out. As to two other Returns, it was necessary I should enter into a communication with the parties making them, because there were some things in one of them, as they were sent in, that could not be printed in the manner in which they were presented to the board. We are speaking now of the Returns, and the Chairman will have the goodness to keep in mind the distinction between Return and Report.

3278. Did you make any alterations in the Reports?—The Reports were not official documents, not returns made to the circular questions of the Commission; the Reports were nothing more than information which the Commission obtained from persons whom they thought competent to give them information, supplementary to that information that was embodied in the Returns. If they had given complete answers to the questions, the Commission would have imposed an amount of labour upon the gentlemen to whom the questions were transmitted that could not be expected from them. In order, therefore, to supply the deficiencies in the Return, or obtain better information, the Commission in some cases employed persons in their service to give more extended and additional information; part of my duty was to furnish Reports of this kind; I have prepared five or six of these Reports.

3279. Did you make any alterations in the Reports?—Some of the Reports required certain alterations.

3280. Did you make them?—Yes.

3281. Something has been said about some catalogues made by Mr. Cole, and Mr. Cooper has told us that you discovered they were inaccurate?—I did not know that Mr. Cooper had stated it; it was stated by the commissioner who has just now entered the room, Mr. Protheroe.

3282. Mr. Cooper has stated the fact, that Mr. Cole's catalogues have been suspended, or are not going to be published on account of its having been discovered that they are inaccurate, and on a bad plan, and he stated the discovery was yours?—I did not at all know that Mr. Cooper had stated it; I heard it stated by the commissioner in delivering his evidence that something like this was the case. Now I must, in the first place, state to the Committee my own persuasion that the suspension of the publication of that catalogue had taken place before any opinion of mine was asked. I have endeavoured to make myself generally master of all the circumstances of this transaction; and I am, I believe, master of all the circumstances. I am very glad that the commissioner is now present; I heard with the greatest surprise that commissioner depose in evidence before this Committee that the suspension of Mr. Cole's catalogue was in consequence of an opinion that I had expressed of it. Now I state to the Committee, in the first place——

3283. We have Mr. Cooper's statement that the suspension was not in consequence of the discovery of these inaccuracies?—Then it was not suspended in consequence of any opinion of mine. Then I submit that the honourable commissioner who gave evidence upon it, that it was suspended upon information of inaccuracies received from me, that so far the evidence is not accordant with the fact.

3284. Do you consider it material to correct that mistake?—I consider it material to the public service, and most material to myself.

3285. It appears from Mr. Cooper's evidence that the work was suspended long before, and since the suspension it has been discovered they were works that ought not to be proceeded with or published, in consequence of the inaccuracies you have discovered; is that correct, if that is Mr. Cooper's statement?—That is

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true to a certain extent. There were things in what I saw which I should not have wished to have seen published.

3286. When did you discover those inaccuracies?—I cannot exactly say when; it might be six months ago that my opinion was required.

3287. By whom?—By the secretary.

3288. Was it about the beginning of November?—I think it must have been earlier, but I cannot at all say.

3289. Did Mr. Cooper give you specimens to examine?—He did.

3290. Was it before October?—That I cannot say, with any kind of certainty, when it was.

3291. What inaccuracies did you discover, or what other defects besides inaccuracies?—Here is the specimen that was put into my hand [*producing a paper.*] I was desired by the secretary to inform him what I thought of this specimen of the catalogue. The question came before me in the course of my duty, and I gave a fair and honest opinion upon it; I spoke on both its merits and defects. My opinion might on the whole be said to be unfavourable. There were inaccuracies and errors, but I objected on higher grounds. I disapproved of the plan upon which the editor of it intended to proceed. In the first place, he proposed to make it a chronological catalogue; now many of the most important records in the King's Remembrancer's office do not admit of being thrown into chronological order, inasmuch as the records consist of a great variety of matters written at different periods, and relating to different periods. I will mention one, and that is the Red Book, one of the most important, perhaps the most important, record under the care of the King's Remembrancer. In a catalogue chronologically arranged there can be no place for this record; it is placed in this specimen in the reign of King Henry the Second; there can be no reason for placing it in the reign of King Henry the Second; no part of it was written so early as the reign of Henry the Second. The oldest portion of it was written about the 14th of King Henry the Third, but the officers of the Exchequer continued making entries in the Red Book to the end of the reign of King Edward the Third; there are a few entries of a later date, even down to the reign of Elizabeth and James the First; there is, therefore, no reason for placing it in the reign of Henry the Second, any more than in the reign of Henry the Third, or any other reign. Then with respect to the matter of which it consists, it contains matter that relates to the reign of Henry the First, and from that period onwards to the reign of Elizabeth; there is therefore no place in a catalogue that is chronologically arranged for this book. The same remark applies to other records in the custody of the King's Remembrancer; it applies to a book called the Black Book; it applies to all the chartularies, of which there are many; there is no place for them in a catalogue that is to be arranged chronologically.

3292. Are you not aware that at page 5 of this catalogue, it is stated of this book, the Liber Rubeus, "The account of this volume, inclusive of portions belonging to the reign of Henry the Second, will succeed the catalogue of the reign of Henry the Third?"—Then the copy now in the Chairman's hand, placed there by Mr. Cole, differs from mine.

3293. Do you know whether any parts of the catalogues were printed off?—No, I do not.

3294. It is in page 5?—But not in the specimen submitted to me; I go upon this specimen put into my hands, and upon which my judgment was formed.

3295. Do you think this a satisfactory explanation?—No; wherever the Liber Rubeus is placed, it must be out of its place if the catalogue is chronological.

3296. This admits this exception?—Nothing is said of exceptions in this specimen. If it is to be an arrangement, with a multitude of exceptions, that diminishes its value. It is placed under the reign of Henry the Second, and so is the Black Book; we will take the Liber Niger; the Black Book is described in the reign of Henry the Second; the Black Book contains matter belonging to other reigns.

3297. For this reason you think this arrangement objectionable?—There are others.

3298. The Committee cannot go through the whole of them. On account of such defects as these, you objected to a chronological arrangement?—I think that a set of manuscripts like those of the King's Remembrancer do not admit of being arranged chronologically.

3299. How

3299. How would you arrange them?—There cannot be any other arrangement than a mere artificial arrangement, with respect to such manuscripts as the Red Book, the Books of Statutes, and the Chartularies—the latter might indeed be described as a series of chartularies—you might arrange the religious houses alphabetically, or according to the date of their foundations; but to talk of arranging books of that kind in chronological order, is as absurd as any thing I can well conceive.

3300. The objection you state clearly points out that it is not possible to make a perfect chronological arrangement, but it must have defects; can you point out any other system that would have less defects?—There should be no attempt at arranging manuscripts of that kind in a chronological order.

3301. As far as you can arrange them in a chronological order, why should you not arrange them, stating as it is here that there are some that you cannot so arrange?—Is it so stated in the specimen in the Chairman's hand? There is no such statement in any thing I ever saw.

3302. Do you mean to say that none of the chronological arrangement is correct, and that none of them can be arranged chronologically?—No, far from it.

3303. Then it is not good as far as it goes?—Certainly, if that mode of arrangement is adopted; but if there is an attempt at making a catalogue of manuscripts on any particular system, there should be a place for every one. There is not in the Exchequer a more conspicuous record than the Red Book: the Red Book is put here in the reign of Henry the Second. This is quite arbitrary.

3304. Were there any other objections to the plan?—Certainly; it occasions a multitude of repetitions. It is well known that many of the documents which were to be described in this catalogue are in a long series, one of them extending through several hundred years, the Memoranda Rolls. Now, according to my judgment (and the Committee will bear in mind I am speaking but of my view of the case), the Memoranda Rolls should have been described in one article on the score of economy, as well as that a more satisfactory account would be given of them *en masse*, with a table annexed of the years for which the Memoranda Rolls exist, than it would be by repeating them year after year as they occur.

3305. This seems all an objection to the chronological arrangement?—Yes it is.

3306. Go on, and just state your general objections to a chronological arrangement?—I have stated the two principal objections, which are, that in a chronological arrangement there can be no place found for some of the most important volumes; and, secondly, that when the documents are in an annual series, it increases the expense and bulk of the catalogue without any correspondent advantage, on the contrary, it is a loss. It would have been more convenient if there had been, for instance, one article devoted to the Memoranda Rolls, giving an ample description of them, and specifying for what years they existed in the office, than to have named them year by year, as is the case in this specimen; so that there wil be several hundred articles on the Memoranda Rolls alone. These are the two chief objections to its being in a chronological form. When I say Memoranda Rolls, they only make one class of the rolls that are in a long series. There are many others, as minister's accounts rendered year by year, and it seems to me to give an article for the minister's accounts for any manor or other property, and then specifying through what number of years accounts were rendered, would be much better than putting down year by year that there was such an account rendered from such a place that was to be found in the office; which would have been the case had these series been described as the series of the Memoranda Rolls was in the specimen.

3307. Those are the two principal objections you have to the plan; have you any other?—Yes, certainly, I have. I objected to the introduction of so much quotation. I hold, if a gentleman undertakes to prepare a catalogue of a set of records, having those records before him, he should describe them himself. One of the most curious of those Exchequer Records is the Rotulus de Dominabus. If a gentleman proposes, under the Record Commission, to describe the Rotulus de Dominabus, he ought to prepare a description of it himself, and not copy from a well known book a long passage in which the document is described, however ably it may be described. It is well described by Mr. Grimaldi in the passage here quoted: but though Mr. Grimaldi has well described it, Mr. Grimaldi has fallen into one very extraordinary mistake, which mistake Mr. Cole has transferred into this work. The account which is here given of the Memoranda Rolls, including the

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references, is mere transcription from Mr. Cooper's volumes; so is the account of the Liber Niger of the Chapter House mere transcription from Bishop Nicolson's account of it, which is imperfect and misleading. Again, there is also a considerable amount, two columns, of reprinting in this specimen, from another work printed by the Commission. I certainly feel myself in a very invidious position.

3308. Sir *Robert Inglis.*] The Committee distinctly understand that you are a reluctant witness to bear testimony unfavourable to the work of another gentleman; and the Committee understand, that the evidence previously given by you in another place was evidence given by you as a sub-commissioner to the official organ of the board, when consulted by him upon matters relating to the Commission, in the confidence which one public functionary applies himself to another?—I will proceed.

3309. The *Chairman.*] Have you detailed the chief part of your reasons for considering this work inaccurate?—No, there is much to come. I hold, that the descriptions given here of the Black Books are exceedingly inadequate.

3310. I am drawing a distinction between the plan and the special inaccuracies?—Yes, I so understand; we are speaking upon the plan now; the special inaccuracies we are to come to by and by.

3311. Is there any other book the description of which is inadequate?—The Templar's Book appears to me to be inadequately described. I am acquainted with the Black and Red Books, but I am not with the Templar's Book; I only desire to be; and this catalogue does not give the information I should expect from it.

3312. You mean to say, that the descriptions of some of the books with which you are acquainted are inadequate?—I am not acquainted with the Templar's Book, and from this catalogue I gain but a very slight knowledge of its contents; it may be very well described. I do not know enough of it to say that it is not, but I know the Red Book and Black Book, and I know the description of the latter is not what it ought to be.

3313. The general opinion you have entertained of the impropriety of the plan on which this catalogue is founded, do you or do you not still retain?—I do undoubtedly, as to the points stated.

3314. Besides these, did you find any inaccuracies?—Yes, I did, and I will state some of them to the Committee, it being understood I am not cavilling, but in the discharge of a public duty, giving the information that the Committee requires; I will begin with page one.

3315. State generally the class of inaccuracies?—I cannot inform the Committee without entering into particulars.

3316. Give the Committee an instance?—They abound; here are only 12 pages, and I will produce eight or ten instances of what may be called inaccuracies.

3317. Give us one instance?—There is one occurs in the first page; here is a passage marked as being in or not in the Doomsday book; I have forgotten the plan, but it is just the contrary to what is here stated; that passage ought not to have been underlined, it is an oversight.

3318. Such errors as these you have found throughout the twelve pages?—No, that is not a specimen of the inaccuracies. I will mention another; the writer of it speaks of an eminent record antiquary by the name of Sir *Simon* D'Ewes instead of Sir *Simonds* D'Ewes. Again, there was occasion to mention a library that is well known to record people as being remarkably rich in record matters, belonging to the Hatton family at Kirby, in Northamptonshire; this library is mentioned here as being the *Hutton* library; it is the quotation signed J. B. in page 4, column 2.

3319. Sir *Robert Inglis.*] Are these errors found in the proof or in the sheet pulled off; are the Committee, in short, to understand that these are errors of the press observed in a proof, or do you wish the Committee to understand that they passed deliberately under the eye of the gentleman to whom the work was committed?—The latter I conceive to be the case.

3320. The *Chairman.*] Just point out the place? [*handing the specimen to the witness received from Mr. Cole.*]—This is quite a different copy to mine.

3321. Sir *Robert Inglis.*] The Committee understand that you speak of the particular sheet submitted to you?—Yes.

3322. The *Chairman.*] You are not able to find this last inaccuracy in the copy I have shown you?—I do not see that the Liber Niger is described there at all.

3323. Can you account at all for the difference between the two copies?—No, not at all; I did not know that there were any different copies; this was put into my

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my hand, upon which my opinion was required; if the author has thought it necessary to prepare a new and improved copy, or to correct his work since this specimen was presented, there is evidently an admission that there were things to be corrected.

3324. Point out another?—If you will turn to the description of Doomsday Book, in p. 4 of my copy, you will find, "In the fly-leaf of the Chapter House copy the following absurd memorandum is made." Now, according to my serious judgment, the Commission ought not to apply such a term as absurd to any antiquarian memorandum of so eminent a man as Peter Le Nève.

3325. That is a matter of taste?—Very well. At any rate, it should be nothing more than mistaken; the opinion is not an absurd opinion, in any view of it; at least I conceive not.

3326. What is the opinion?—The opinion, as far as I can make it out, through the strange Latin here given as that of Peter Le Nève——

3327. Have you any doubt about the authenticity of the Latin?—Yes; I not only have a doubt of it, but I am sure Le Nève could not have written what is here ascribed to him.

3328. Have you inspected the fly-leaf of the Chapter House copy?—I have seen it.

3329. Does it differ from this?—I conceive so.

3330. In what respect?—The person who transcribed this could not well make out what Le Nève had written, and he has made him write the worst Latin that could be: the particular instance is this:—Le Nève has occasion to quote a book, the title of which appears to be, "Descriptio Belgiæ;" the turn of his sentence rendered it necessary that this should appear in an oblique case, and it stands, "Descriptionem Belgiæ;" the author of this catalogue has read, "De Scriptionem Belgiæ," understanding it, as would appear from the context, as if it was a treatise on the art or mode of writing of Belgium; the *m* in Scriptionem is underlined, to indicate the author's opinion that it was meant to be "De Scriptione Belgiæ." Such a passage as this ought never to be allowed to appear in any publication of this Commission.

3331. *Chairman* [to Mr. *Cole.*] Can you account for the difference between the copy which Mr. Hunter has, and the copy you have delivered to me?—The copy Mr. Hunter has produced was the specimen first prepared, and after I had received Mr. Cooper's orders to send the same to press, I had reason to make certain alterations; the second copy the Chairman has in his hand is the copy printed off by the Printer, of which 500 were printed.

3332. Sir *Robert H. Inglis.*] So far, therefore, as the errors are corrected in the copy delivered by you to the Chairman, it may be considered as the work which you desire to see published?—Precisely so; the copy that the Chairman has in his hand is that which was finally worked off.

3333. Does the passage pointed out by the last witness, Mr. Hunter, in page 4, exist in the same form in the copy which you have delivered to the Chairman?—If it be an error, it undoubtedly does.

3334. But assuming it to be an error, does it exist in the same form?—Yes.

3335. Does the passage pointed out in page 1, referring to Doomsday, exist in page 1 of the sheet delivered to the Chairman?—Yes, it does.

3336. Does the error which Mr. Hunter has mentioned, about the library of the Hatton family, exist in this?—It does not.

3337. To Mr. *Hunter.*] Were those inaccuracies you have found, inaccuracies which made it necessary for you to examine the original records to which the catalogue referred?—They are of a different nature from the kind of inaccuracies to which the Chairman is alluding.

3338. Those inaccuracies you did not inquire into?—I will proceed to those.

3339. Did you find any such inaccuracies?—I have not collated any portion of it with the original, but there are a few things in which I feel a persuasion that the copy does not agree with the originals; here is Wychard Ley mentioned in page 7, who must, I conceive, be the person of that age, well known as Wischard or Wychard Leydet, but I think these are very trifling; such kind of errors cannot be wholly excluded.

3340. Mr. Protheroe has stated in his evidence, "Two reasons have been assigned to me for the suspension of Mr. Cole's catalogue, but I really do not know which is the one I am to accept as the positive reason for the cessation of this work. First, it has been stated to me that the work was suspended because Mr. Cooper

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disapproved of Mr. Cole's terms, and next, because the work had been proved to have contained errors; those errors are stated upon the authority of Mr. Hunter." Is there any thing in this you complain of as contrary to the fact?—I have made myself as accurately acquainted as I could with the facts of the case, and I am told certainly by Mr. Cooper, that the latter was not the reason or a part of the reason for the suspension of the catalogue; that the catalogue was suspended 10 days or a fortnight before any opinion of mine was asked.

3341. When you state that what Mr. Protheroe has stated is contrary to the fact, how do you know that the reasons were not assigned to him?—I by no means say those reasons were not assigned to him. I only state the result of the inquiries; and Mr. Cooper assured me that the suspension of the catalogue had taken place ten days or a fortnight before he asked any opinion of me.

3342. How do you know that such reason was not assigned to Mr. Protheroe for the suspension of Mr. Cole's catalogue?—I cannot give any answer to that.

3343. When you state, what Mr. Protheroe has stated is contrary to the fact, you mean simply that any opinion you gave upon this work was not the cause of its suspension, that suspension having taken place before?—Yes.

3344. Sir *Robert Inglis.*] You will observe in the evidence quoted to you in a preceding question, as having been given by Mr. Protheroe, Mr. Protheroe states not the fact, but the reasons assigned to him; and expressly states that he does not know which is the one he is to accept as the positive reason for the cessation of this work; Mr. Protheroe not making himself responsible for either fact, but simply for the circumstance of two reasons being assigned to him for a particular result: does not that appear to you, upon reconsideration, to be the state of the case?—Whatever may have been stated, I have the satisfaction of knowing, from the positive information of Mr. Cooper, that the work was suspended, utterly irrespective of the second reason, the work being suspended previously to any opinion of mine being asked.

3345. Is there any further statement which you wish to make?—There is a statement, chiefly to the purpose that the work, the Select Rolls, was prepared under similar circumstances to the Chancellors' Roll, that I lent assistance to the editor in the discharge of that duty; and though I allowed my name to appear in the title page, I did not intend to take the responsibility of the work, and I thought I had guarded myself against that by the passage in the preface. The Committee must be aware that my connexion with Mr. Devon's books was a very different thing from preparing a work of my own. There is another matter of considerable importance, the obliteration of the title Sub-Commissioner, taken upon himself by Mr. Cole. It is stated in evidence before this Committee, that it was struck out from a Report either by Mr. Hunter or Mr. Cooper; this also places me in a very invidious position. I had stated in the most explicit manner that could be to the gentleman who gave that evidence, that I had nothing in the world to do with striking out the title Sub-Commissioner; that I did not strike it out, and that I was no party to it whatever.

3346. The *Chairman.*] Who did it?—It was done by Mr. Cooper himself; therefore, I think, as Mr. Protheroe is present, it might be proper to ask him a question, whether he still thinks that Mr. Hunter had any thing to do with striking out the title Sub-Commissioner?

3347. Do you know any thing of the title of Sub-Commissioner being scratched out of Mr. Cole's manuscript in pencil?—Yes.

3348. Who scratched it out?—Mr. Cooper.

3349. Who rubbed out the pencil-marks?—I rubbed out the pencil-marks.

3350. Why did you rub out the pencil-marks; if it was not to stand, would not that have the effect of misleading Mr. Cole?—Not at all, I conceive. There is another point: Mr. Protheroe states in his evidence, that the expression I used, in a letter to Mr. Cole, he thinks, was calculated to mislead him. The circumstances were these: Mr. Cole claimed some kind of right to determine what portions of the Reports which he had furnished to the Commission should be printed; these were not of the same nature as the Returns, which were mere gratuitous statements; they were Reports, and the Reports that Mr. Cole presented were large and entitled to remuneration, but being in the possession of the board, it was for the board to determine what parts they would print in the General Report to His Majesty. I therefore wrote to Mr. Cole these words, "What portions of such papers as those which you have furnished to the Commission they may think proper to print in their Report, it is for the Commission itself to determine." I think that there

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there was nothing in that that could mislead; it could not be supposed that any trifling question which might have arisen between Mr. Cole and myself respecting what should be printed of these Reports should be referred to the board. At any rate, I will state this, I did not intend that any thing should be misunderstood, I did not intend to write any thing that could mislead; it was Mr. Cooper and myself that were to determine what was to be inserted, as the board had referred it to me, though in all cases of any difficulty I asked the advice and assistance of the Secretary.

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3351. Have you any further statement to make?—I believe there are other things that I did intend to state to the Committee.

Edward Protheroe, Junior, Esq., further Examined.

3352. HAVING heard the statement of Mr. Hunter, have you any explanation to give?—I beg leave to state that I entirely acquit the reverend gentleman of any intention, after his explanation, of misleading Mr. Cole; indeed I did not impute such an intention to Mr. Hunter. At the same time I am bound to assure the Committee, that the language that Mr. Hunter has correctly reported as used in his letter to Mr. Cole did mislead me; and that when I saw Mr. Hunter's note to Mr. Cole, in which he stated that it was for the Commission to determine what parts they (I call particular attention to Mr. Hunter's use of the plural number) should choose to have published of those reports, I entertained so strong a conviction that Mr. Hunter thought that those Reports would be produced at the board, that I stated to Mr. Cole, "You need be under no anxiety about your suspicions as to half-obliterated pencil-marks. Whatever omissions are made in your Report, we must, according to Mr. Hunter's statement, have the Reports before us; and when yours comes before us, it will be my care to see that no omissions are made in those Reports, without a due consideration of the propriety of such omissions." I so strongly felt this to be a correct interpretation of Mr. Hunter's language to Mr. Cole, that when I discovered it was not consistent with Mr. Hunter's statement in a letter of his to me, relative to the same transaction, I stated to Mr. Hunter, and I have the letters by me still, that I could not reconcile his statement in the letter to me with his statement in the letter to Mr. Cole; there appeared to me a great and irreconcileable discrepancy between them: Mr. Hunter stated in reply, that he saw no discrepancy, and he gave to me that explanation he has now submitted to the Committee. In addition, I can only repeat my statement, that I did think, and that I do still think, without an explanation of the view that Mr. Hunter took, the words were decidedly adapted to mislead Mr. Cole, and they did mislead me, a commissioner, as is shown by my conduct at the time. Mr. Hunter explained, in his letter to me, that by using the word Commission he meant himself, to whom the arrangement of the Return and Reports, which were to be included in the Appendix, was delegated, an explanation as well meaning, which I considered most extraordinary.

E. Protheroe, Jun. Esq.

3353. Did you suppose, in the preparation of this Appendix, the several portions as prepared were to be submitted to the board, and the particular expressions of those Reports were actually to be submitted to the board of commissioners, who were to decide upon the printing of them or not?—Certainly, from the note addressed by Mr. Hunter to Mr. Cole, I did conceive such was the course Mr. Hunter believed would be pursued; but I do not pretend at this moment to lay down or to express a positive opinion on the system which should be pursued in the formation of our General Report and its Appendix; in my former evidence I have fully expressed my general dissatisfaction with reference to this matter; unquestionably I did conclude at the time referred to, that the writer of the note to Mr. Cole meant to show Mr. Cole that the board, and not he alone, or the secretary, was to be the final judge of what should form a part of the Appendix. There was no question about particular expressions, as I understood the point in dispute. The word or title, Sub-Commissioner, a point of vital importance, is not I suppose considered a mere expression.

Veneris, 6° die Maii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert H. Inglis.
Mr. Pusey.	Sir Charles Lemon.
Dr. Bowring.	Mr. Hawes.
Right Hon. C. W. W. Wynn.	

MR. CHARLES BULLER, IN THE CHAIR.

The Reverend *Joseph Hunter*, called in; and further Examined.

Rev. *Joseph Hunter.*
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3354. *Chairman.*] HAVE you any statement to make with respect to the subjects on which you were examined upon a former day?—Yes. I was asked one or two questions to which I could not give explicit answers. I was asked when any inquiry was made of me respecting the plan and execution of Mr. Cole's specimen of the catalogue; I was not able to give a precise answer. I have since referred to my papers, and I find it was some time in the month of September; the specimen, however, was not sent to me at that time; it had been many months in my possession, from, I think, the month of March. When I first saw it, I perceived what I apprehended to be defects, both in the plan and execution. On an interview which I had with Mr. Cole in the month of May, upon something respecting the Red Book, I stated to himself that I thought a chronological plan was objectionable, inasmuch as it afforded no proper place for such a book as that we were speaking of, or for many others in the King's Remembrancer's collection. I remember also expressing to him that a chronological plan must necessarily lead him to much repetition; and I also recollect that I stated to him the objection that I have always strongly felt to the introduction in commission publications of matters already in print. I might also descend to mention some particular objections. I am sure that this conversation must be in the recollection of the gentleman, who is now present; and it may possibly have been in consequence of this conversation that the article on the *Liber Niger* was withdrawn, as I found for the first time on Wednesday last was the case. I thought no more of the subject; I neither knew nor inquired whether the work was proceeding. I think it is possible it may have been mentioned to me by Mr. Cole himself that the work was going on, though my impression is that it was not, nor is it material. In the month of September, however, my attention was again drawn to it in a conversation with the secretary, in which he asked me what I thought of the plan and execution; I stated generally, along with approbation, something like what I had stated before to Mr. Cole. He desired me to put the objections to the plan and the execution into some form, and I then collected together what appeared to me to be objections to the plan, and what appeared to me to be defects in the execution. The whole transaction must evidently appear to the Committee to have been one of official confidence. I was asked by the Honourable Chairman what other plan I would recommend; I could not answer such a question on the instant.

3355. My question was, what other plan of arrangement is there that is not liable to somewhat similar objections; for instance, if your arrangement had been topographical, I meant to ask whether you would not there have to make the same repetitions, and have to place under one county or district a document that belonged to several; but your answer to me at the time, though I might if I had entered into the matter have made other inquiries, was satisfactory, because you stated you would have formed an artificial arrangement that would not be liable to those objections?—As to some of the records, I would have an artificial arrangement, as some of them cannot be made subject to any other; but there are other records that ought not to be artificially arranged, but upon some system or other. If I were to spend two or three days among these records, I have no doubt I could come to some determination respecting a plan. Generally, I will now say that a plan by which the records are thrown into classes appears

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to me better than one in which the classes are intermingled; the cause of the proximity of each roll or book in the catalogue being the single circumstance of their being coincident in date.

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3356. Do you not know that it was Mr. Cole's intention to do that at the end of the catalogue?—No, I do not know that.

3357. Is it not stated in his report to you?—I have not a recollection of it being there; now it is called to my recollection, I think I do remember in the report that Mr. Cole presented there was something said about a second arrangement.

3358. Did he not propose to arrange the text of the catalogue in chronological order, and append an analysis of the subjects?—I have not a sufficient recollection of the circumstances to state on the instant whether he did or not, but I think there was no occasion to have what seems like a double catalogue. The catalogue and an index should, I conceive, have been all. I cannot, however, pretend off-hand to give a plan for such a work; but I have stated to the Committee what I regard as disadvantages attending the plan which has been adopted. As, in whatever I have had to do with this catalogue, I have been placed in the situation of an objector to it, I wish to take, in justice to Mr. Cole, the earliest opportunity of publicly stating, that the judgment I had formed upon it has been only on the four first sheets that were presented to me; nothing more have I seen, nor those sheets since they have been in what I understand to be an improved state; in justice, I say, to Mr. Cole, I take the earliest opportunity of publicly stating that, though I think he would, on consideration, be inclined to change in some respects the plan, and to expunge or alter some things in the part already printed, yet that I by no means intend to pass any sweeping condemnation on his work; on the contrary, I desire to express my humble approval of much that I see there, and I have not the smallest doubt that the subsequent parts of the catalogue would be an improvement upon the parts that were submitted to me. I do not, however, shrink from anything I have said respecting them. I should have been extremely sorry to have seen any commission publication go forth with errors of the kind of those to which I have been forced to draw your attention. Mine was an ungracious and disagreeable duty, but if any good arises from the performance of it, I shall not have much reason to regret that I discharged it.

John Hodgson, Esq., called in; and Examined.

3359. *Chairman.*] YOU were lately Member for Newcastle-upon-Tyne?—Yes.

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3360. Have you had occasion to search any of the record offices for documents connected with property belonging to you?—I have had occasion, either personally or through my solicitor, to search in most of the principal record offices, having been unlucky enough to be concerned in two tithe suits, in one of them as proprietor of the tithes, and the other as proprietor of the land.

3361. Did you find the requisite facilities for your searches?—In most of the record offices I found no difficulty, by giving an unlimited commission to the keeper of the records to make the searches for me; the only one where I found anyp ractical difficulty was in the Rolls' Chapel.

3362. When you speak of this unlimited commission, you mean you were compelled to incur the expenses of a most extensive search?—There was a discretion committed to the persons employed to search to find out anything that might make for my case.

3363. What were the difficulties you experienced in the Rolls' Chapel?—The difficulties were from the defective state of the calendar; the rolls I had occasion to search at the Rolls' Chapel were the Patent and Close Rolls; of each of those there are good calendars under the names of the grantees to each annual roll; there are also to the Patent Rolls, I believe, a very perfect general calendar, which is the private property of the persons in the office. By consenting to the paying a considerable fee, I obtained the necessary information from the Patent Rolls; but after searching the private calendar of the Close Rolls, I did not get the information I expected. This search was conducted by my solicitor. On reference to the Report of the first Record Commission, I found that the private calendar to the Close Rolls was not there described as perfect, though the clerks in the Rolls' Chapel had not stated to my solicitor that it was other than a perfect calendar.

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calendar. In consequence of being in London myself, and knowing the name of the grantee, I commenced searching from the earliest period that the grant could have been made till I found the document I wanted, and which I did succeed in finding; that document not having been found after my having paid for the inspection of what was represented to be a complete index of the Close Rolls.

3364. That document was there, but the calendar gave you no information?—Yes.

3365. The Right Honourable *Charles W. Williams Wynn.*] You looked under the name of the grantee to whom it was afterwards granted?—Yes; the annual calendar was correct; it was there, under the name of the grantee, but it was not in the general office calendar.

3366. *Chairman.*] If the calendar had been complete, you would have been saved considerable trouble and expense?—I should have been saved considerable trouble, and possibly the expense of having to amend my bill in the tithe suit, because the defence set up was this, that parcels of the tithes had been severed from the rectory subsequent to their original grant, and it was my object to trace the rectory through the hands of all the parties through whom it passed, and my case was not complete without this document, which was a conveyance from the original grantee from the Crown to the party from whose family I could deduce a claim to it.

3367. You were the plaintiff in this case?—Yes, as lay rector.

3368. It would appear from this that the success of your suit depended upon this document you discovered?—My suit, I apprehend, could not be successful without it.

3369. In order to avail yourself of your discovery you were compelled to amend your bill?—Yes.

3370. If you had not made a second inquiry, the first having been unsuccessful, and you had given it up in despair, you would have lost your suit?—Yes, I should, and I was absolutely advised by my counsel to give up the suit in consequence of not being able to find the document to connect the property.

3371. Independent of the defects in the calendar, do you not think it important the public should have more ready access and cheaper access to those documents?—I think it of the greatest importance; I think one of the greatest benefits the Record Commission could confer upon the public would be the purchase and completion of the calendar to the documents in the Rolls' Chapel; for though of less antiquarian curiosity, they are infinitely greater in practical and every-day use, for in the Close Rolls especially are entered almost all the principal bargains and sales between parties; at any rate, from my own knowledge I can state, from the date of the Reformation down to a late period; and those have been very little used, from the want of accurate calendars.

3372. And is, I suppose, also from the expense attending it?—Yes, from the expense.

3373. Can you state to the Committee the amount of the expense you were exposed to?—I am not able to state the amount of the searches, and some of those would have been requisite at any rate, whether I found this document or not; but the expense I was put to in having to amend my bill was between 400 *l.* and 500 *l.*

3374. You gained your cause?—No; the cause is still in suspense.

3375. On whom will the costs of those searches ultimately fall if you succeed?—On myself; because I was allowed to amend my bill on the payment of costs, and under no circumstances can I recover any part of those.

3376. Have you had occasion to consult the record repositories for any literary purposes?—Yes; I have frequently done so, and should have done so to a much greater extent, except for the reason that I found the expense very considerable merely for the purpose of gratifying curiosity. I may mention that in the Tower I think I never had occasion to apply for a document but once: that was a very short thing, and I did not make any mention that it was for literary purposes, and they made me the usual charge; but I had a message from the keeper of the records there, that if it was for literary purposes it should be returned, but I never met with a similar instance.

3377. Have you consulted the records in other offices for that purpose?—Yes, particularly at the Rolls' Chapel, but there I found no disposition to give up any part of the fees.

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3378. The Right Honourable *Charles W. Williams Wynn.*] You stated it was for literary purposes?—Yes; I had a copy made of the Parliamentary Ecclesiastical Survey in Oliver Cromwell's time; I stated it was for literary purposes, but the usual fee was charged.

3379. *Chairman.*] In this case you wanted a copy?—Yes.

3380. Did you have a copy of the whole?—No; they made a copy of the part relating to the county of Northumberland.

3381. The Right Honourable *Charles W. Williams Wynn.*] What was the charge for it?—I cannot state the charge per folio; it amounted to 5 *l.* or 6 *l.*

3382 *Chairman.*] Did you pay the fees upon the inspection of it?—Yes.

3383. There was no abatement made of those fees when you stated it was for literary purposes?—No.

3384. Is it not your opinion that a larger proportion of the funds of the Record Commission should be devoted to the arrangement and making calendars than is at present applied to that purpose?—Yes; I am clearly of opinion that it would be a great advantage to the public if a larger portion was devoted to that object; but at the same time I would guard myself, in so stating, from wishing to disparage the publications of the Record Commission, which I consider, with one or two exceptions (I speak of the publications of the present Commission), as extremely valuable; I should say all the publications of the present Record Commission that consist of records, and not including the Introduction to Doomsday Book, and the Essay on the King's Council, are extremely valuable.

3385. Do you not think that, even for literary purposes, the first object is the good arrangement and indexing of the records?—Yes, I do think so; at the same time I think if the fund was equally divided, there would be no injury done to the public, and many persons are interested in important records that have no means of consulting manuscripts; but if those calendars were purchased for the public, it would materially facilitate the consulting of them if copies were deposited in the British Museum, as in the cases of the calendars of the "Originalia," which I have found of great service, because they are not merely of use as calendars of those records, but in a great degree of the Patent Rolls also, the same grants entered in the Patent Rolls being entered in the "Originalia."

3386. Do you not think if literary men had, through a good arrangement and good calendars, and small fees, perfect access to the records, that a great deal would be done by them in making selections from them that might save the expense of printing old works not of general interest?—I have very little doubt if literary men had access to them themselves, if there were copies in the British Museum that they could transcribe, that very great portions of the records would be published, not as wholes, but in county histories, and by provincial antiquarian societies, as records coming within the scope of those works or those bodies.

Henry Petrie, Esq., called in; and Examined.

Henry Petrie, Esq.

3387. *Chairman.*] ARE you keeper of the Chancery Records in the Tower?—I am keeper of the Chancery Records in the Tower.

3388. I believe you have long been engaged in researches among records?—Yes; amongst the records and historical muniments of every kind.

3389. In the returns of the Record Board your name is mentioned as a sub-commissioner for editing the materials for the History of Britain?—I have been principal sub-commissioner for that task since May in the year 1823.

3390. Have you got the plan upon which that publication was undertaken?—I do not think I have got the plan by me here, but it has been printed, I rather think, by the secretary. There were what may be called two preparatory plans, and a third that was approved by the commissioners. The first was called an "outline," the second, called "a sketch of a plan," was a considerable enlargement of this, with illustrations of the mode in which it was proposed to proceed; and the plan was finally formed by condensing the second or "sketch," leaving out, as no longer necessary, the illustrations.

3391. When did you commence this work?—If I am to understand the question as relating to the time of passing the minute of the board, I began it immediately.

3392. But the vote of the House of Commons was in 1823?—1822.

 3393. Did

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3393. Did you commence your work immediately?—I had no authority to commence it on the passing of the vote; but I had been at work upon it many years previously on my own account. I began after the minute of May 1823; the vote of the House of Commons was in 1822. In May 1823 the plan was agreed upon, and ordered to be carried into execution by the Record Commissioners.

3394. Since that period have you been employed upon the work?—Constantly; I may say unremittingly, except when my official duties required me elsewhere, and except for the last two or three years, when my health has been in a very precarious condition.

3395. What progress have you made in the work?—Two volumes were put to press in the year 1830; one of which was to be divided into two parts, and to contain the Welsh laws and the Saxon laws, and the other to contain histories or chronicles; and this volume has been carried on at press to nearly 1,000 pages.

3396. Is the first volume published?—No, that is the first volume.

3397. Is the volume of the Saxon and Welsh laws published?—No.

3398. What is the reason for those works having been so long prepared and not published?—The first intention was, that the whole materials for the period reaching to the Conquest, being the first period agreed upon, and which would probably make five folio volumes, should be prepared and ready for the press before any portion of them should be put to press: but at last we found it would be advisable not to wait for that time, but, as the whole of the materials, although not ready for the press, were in a greater or lesser degree of forwardness, that we should go to press with a volume of histories or chronicles, and another of laws; and that took place in 1830.

3399. It being five years ago that it went to press, how is it that it is not now published?—Owing to the state of my health. In the year 1832 my operations began to be retarded by ill health. I had a tedious fit of sickness in the spring of that year, and another nearly of the same kind in the spring of 1833. In the autumn of 1833 I was attacked by a very severe nervous disorder in the head, under which I am still labouring, that for a long time rendered me in a great degree incapable of attending to the work before me: since that time I have been gradually becoming more and more capable of work, and when I could work I have done so.

3400. Will you state what passed between you and the board upon the subject of these collections, from the first period?—My first appointment was with an understanding, founded on a paper which I put into the hands of the secretary, and which was read to the commissioners, that I was to be principal sub-commissioner for carrying on the work, and that the Rev. Mr. Conybeare and the Rev. Mr. Sharpe were also to be sub-commissioners; that we all declined receiving any remuneration for our labour until the whole portion should be either ready for the press or printed, at the option of the Commissioners; and that such sums of money should be issued on account from time to time as would enable me to obtain such further assistance as might seem requisite, and as the funds apportioned for the work would allow: and upon this principle we have proceeded. Some time afterwards, Mr. Conybeare's avocations not allowing him to take part in the work, it became necessary to engage Mr. Price for the Saxon department, and Mr. Parry was engaged for the Welsh; and on his death, shortly afterwards, that portion of the work was committed to Mr. A. Owen.

3401. Will you state, since your illness, what has passed between you and the Record Board?—During what period?

3402. Were any applications made to you by the board respecting the progress of the work?—I made an annual report of the progress of the work, and of the expense incurred.

3403. What was done in consequence of any of those reports?—Up to a late period nothing was done, as far as I know: I do not rightly understand the scope of the question, and cannot very well frame my answer.

3404. We have been told that the work has been suspended?—Yes, it has.

3405. In consequence of what?—I understand in consequence of its not being completed.

3406. Will you state why it was suspended; what passed between you and the board upon the subject of the suspension?—In January 1834, during the worst of my illness, I received a letter from the secretary, desiring to know when the

the volume was likely to be completed; and my answer was, that my health was then in such a state as not to allow me to form a conjecture as to the time of its completion. I do not find any other memorandum at that period which has a tendency to explain the suspension of the work. The next circumstance that it will be necessary for me to notice is, that early in 1835 I received a letter from the secretary, stating that I should be required to attend the commissioners on the 11th of April, in order to explain why the first volume had not appeared. On the 11th of April I attended the board, having previously sent in my usual annual report, and stated the cause of my not completing the volume was that my health had been such as to prevent my making any rapid progress; but they would perceive from the report that I had been making progress, though not rapidly. It was then suggested by the chairman, that I should show a part of the materials in preparation for the completion of the volume, which I had described to the board, to some friend who was a member of it; and in consequence of this suggestion, a few days afterwards, I did show them to the Bishop of Llandaff, and fully explained to him the state in which they then were. From the time of my conference with the Bishop of Llandaff, I heard nothing of the board till the month of June, when the secretary wrote a letter to Mr. Sharpe, my brother-in-law and co-editor, requesting him to urge me to complete the volume forthwith, or the board would be under the necessity of taking the work out of my hands. I am at liberty to say that in consequence of that letter I called upon Mr. W. W. Wynn, a member of the commission, for, as the letter contained a threat, I could not notice it publicly to the board, except by sending in my resignation, and I explained to him what my feelings were on the subject. I admitted at once that I had gone on much slower than I had hoped for, but still that I had gone on as fast as I could, and that no intermission of my labours had recently or ever taken place when I was able to work. From that time I heard no more about it till the 7th of September, when I received a letter from the secretary, stating that the commissioners having resolved upon taking the work out of my hands, I was required to deliver up all transcripts, books and papers, and so forth. On the 15th I acknowledged the receipt of the letter, and asked for copies of any minutes of the board which might have reference to the subject of his communication. In answer to this, I received another letter from the secretary, dated the 19th of September, stating that he was not instructed to make any communication except that already sent in his letter of the 7th, which had been passed at a board held on the 6th of August; and he then repeated that order verbatim as it had been passed. My next communication upon the subject was a note from Mr. Wynn, dated the 31st of March 1836, stating that a sub-committee had been appointed to inquire as to what remuneration I claimed from the commissioners, and also to know what my determination was about the transcripts, &c.; and in consequence thereof I waited upon that gentleman, at his request, and stated verbally to him what were my intentions upon this subject; and on the 4th of April I met the sub-committee, and after some conversation as to the state of the volume, and of the materials for its completion, I then stated, in answer to a question respecting remuneration, that I had engaged in the work on the condition that I would receive no remuneration until a portion of it was done; that I went upon a "*quantum meruit*," and that I was not in a condition at present to claim a "*quantum meruit*;" that I had received certain sums of money on account, and had expended them for transcripts and a variety of other matters; that my account was an open one with the board, and that when my volume was published, although my engagement was for the whole period, I was willing to close it; and that when I had so done, I should know what I had to do with regard to the transcripts or other materials. On the 22d of April following (1836) I received a letter from the secretary, repeating the demand of transcripts, &c., and offering me a "*quantum meruit*" for labour, &c., for the unfinished volume, and enclosing copies of a statement of facts made, by order of the board, to the Treasury, on the 17th of August 1835, and of Mr. Baring's letter in consequence thereof, dated on the 29th of the same month. On the 26th of April I acknowledged the receipt of this letter and its enclosures. That is the state in which I am with respect to the work at this moment.

3407. Have you given up the materials or transcripts?—No.

3408. Mr. *Hawes.*] Did all those letters purport to be written by direction of the board?—I conceived so.

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3409. In terms?—Yes: upon a verbal inquiry of the secretary about the minute or order of the board with respect to the communication I received September the 7th, he told me verbally there had been no minute upon the subject; but it is hardly right, perhaps, I should state this, but my object went to obtain any minute that might relate to the matters referred to in that letter.

3410. *Chairman.*] That was the letter telling you the work was suspended?—Yes.

3411. He told you there was no minute authorizing it?—No minute beyond what he had sent to me. I believe I have repeated it almost verbatim; that His Majesty's Commissioners of Public Records having resolved to take the work out of your hands, you are required to deliver up all papers, and so forth.

3412. Did the minute authorize him to apply to you?—I cannot tell that.

3413. Have you received any minute upon the subject?—No, I have received no minute whatever. It is perhaps better, to prevent any misapprehension with respect to the letter, that I should produce it: that is my letter in consequence of the secretary's letter; and that is his second communication, in answer to mine, (*handing two letters to the Chairman*).

3414. He did, in the second letter, send you a minute, authorizing the terms of the first?—Yes; he tells me now, for my satisfaction, that he gives it verbatim; in fact it is the same thing.

3415. What was this communication between the Board and the Treasury?—It is called a statement of facts from the Board relating to the work I had been engaged upon.

3416. What was the answer of the Treasury?—I can hardly trust myself to state it; I had better put it in: there is the minute (*handing it in*).

3417. No allusion is here made to the state of your health?—No.

3418. How is it this statement having been made the 17th of August you receive no intimation of it till April?—I cannot tell. I know nothing about it; that is the letter accompanying the two enclosures (*handing in another letter*).

3419. What searches have you made for materials for this work?—I have looked, I believe, at everything I could find.

3420. Where?—Everywhere in this country; and I have also been searching in some parts of the Continent; at Paris, Rouen, and the Netherlands: my searches here have only been bounded by the want of materials to examine.

3421. The Right Hon. *Charles W. Williams Wynn.*] Had you for some years before this work was directed to be undertaken devoted much time and labour in the preparation and execution of the work?—I have been engaged in pursuits of this sort between 30 and 40 years.

3422. I particularly mean with a view to the publication of the materials for the History of Britain?—I cannot say that my hopes of being able to carry it into effect were, during many years, at all sanguine; public curiosity with respect to matters of this sort had become so rare, that there seemed little prospect of its being adopted; but I still pursued it as a darling object, in the hope that others might in time think of it as I did; and with this feeling, in the year 1816 I put into the hands of a few friends a sort of outline of the plan I proposed to pursue. Before the application was made to Parliament, without noticing printed books, I had examined perhaps 1,000 MSS. connected with the history of Britain.

3423. Mr. *Pusey.*] You found it impossible to carry it into effect by private subscription?—We had conferences upon the subject as early as the spring of 1818 at the late Earl Spencer's. Besides Earl Spencer, there were present Lord Grenville, Lord Colchester, Mr. Grenville, Mr. W. W. Wynn, Mr. W. Elyot, and I believe one or two more. These conferences were held in consequence of my having placed in the hands of a few friends a paper nearly similar to that already mentioned: their result was a conviction that any attempt to carry into effect, by subscription, a plan which embraced the publication of from 20 to 25 large folio volumes, and which, of course, would require many years for its completion, would be utterly hopeless. It was therefore suggested that application should be made to Parliament for its adoption, and in case of success, that it should be placed under the management of the Record Commission.

3424. *Chairman.*] You state you made researches in the record offices in this country, and on the Continent?—I should say, my Continental searches were not so much for matters of record; that was a secondary object: my principal object was historical manuscripts.

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3425. You made researches on the Continent?—Yes; at Rouen, Paris, and in various libraries in the Low Countries.

3426. In those researches, what aid had you from the commission?—None: those searches were carried on at my own private expense, with the exception of one journey to Brussels in 1828, before there was any commission, or any employment for that object.

3427. What communications have you had with the board as to aiding you in searches for materials for this work?—None, as to the supplying me with information.

3428. Or putting you in the way of getting materials?—None.

3429. Do you mean, as a commissioner under the board you have had no assistance in getting materials?—I never asked for any: I was persuaded that my own experience would be my best guide; but I was willing, of course, to receive communications.

3430. Did you receive any communications from the board?—No: once or twice I had a communication from the secretary, stating that such and such a thing had been sent to him, and wishing to know what it was; but never offering me any assistance for my work.

3431. Do you not know that collections have been making for some time by the secretary on the Continent, partly for the purpose of aiding you in your work?—I know nothing of it. I have heard lately that such a thing has been done; I suppose for the new edition of the Fœdera.

3432. This aid that the commission was preparing to give you was kept a profound secret from you?—Entirely so; it is a secret to me at this moment, except that you are telling me that researches were going on for that purpose.

3433. There was no co-operation between you and the secretary upon the subject?—Never.

3434. Did he ever inform you that valuable materials for the History of Britain had turned up in the foreign libraries?—Once he sent me a fac-simile of a manuscript discovered by Sir Thomas Phillips, which I had been very curious about; and he once sent me a small chronicle from Hamburgh, asking me its value; but never, in the way you seem to understand the matter, have I had communications to assist me in the progress of my work.

3435. Do you know that Mr. Cooper has been preparing information respecting all the materials for the History of Britain to be found in foreign libraries?—I do not know it: I have heard of something of the sort; but I have never seen any of his preparations.

3436. You did not benefit at all by them?—I have never seen them. He may have found a great deal, either of very valuable new matter, or of what I was already acquainted with at home; but of the one or the other I know nothing.

3437. If he had found in foreign libraries valuable materials, would it not have been serviceable to communicate them to you?—Certainly.

3438. How can you account for his not communicating them to the person to whom they would be most valuable?—I cannot form a conjecture; when I heard of it it seemed to me very strange.

3439. Do you know anything of the Supplement to the Fœdera?—Only generally; I know nothing of it from having had any part of it placed before me.

3440. Into the Supplement of the Fœdera do you think that anything but authentic documents ought to enter?—I take it that nothing else could enter into it from its nature; but its plan is somewhat lax. In the first volume are a few excerpts from chronicles, and some letters written by Petrus Blesensis, but with these exceptions I do not recollect anything which is not either matter of record or derived from original instruments.

3441. Do you think that if it was professed to reprint a better edition of Froissart, that that would naturally form a part of the Supplement to the Fœdera, or that it would more properly form materials for the History of Britain?—Certainly it would enter into the materials for the History of Britain, not the Fœdera.

3442. Did you know that the commissioners were undertaking anything about an improved edition of Froissart?—No; I have spent a good deal of time in examining the manuscripts of Froissart, but I did not know that the commission had taken any steps upon the subject.

3443. Do you not know that the commission has printed a considerable extract from the better manuscripts of Froissart?—No; there has been a new edition of

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Froissart printed within these few years, in which a great deal of new matter has been introduced; but a great deal of that new matter is to be found in the British Museum, in a manuscript formerly belonging to the Royal Society.

3444. Have you seen the volumes of the Appendix?—No.

3445. And you can form no opinion of their value?—It is impossible.

3446. Do you know there has a volume been prepared containing a collection of old Anglo-Saxon poems?—No; I am in entire ignorance of what may have been obtained, as well as by what means it may have been obtained, from the research you have been alluding to, except that I have heard it said there was a considerable degree of research going on upon the Continent in various libraries to collect historical matter; but as to the authority by which it was carried on, or the object for which it was immediately intended, I know nothing.

3447. I was speaking of these Saxon poems: one is entitled "The Departed Soul's Address to the Body;" are you aware of the utility of this in an historical point of view?—Until I have read it I cannot say. The person who is dying may be King Alfred, or some other great person I am interested about; but if it is taken merely as a poem, the address of the soul to the body, I should say it is not historical.

3448. You do not think it probable that a poem of this date will turn out to be valuable to you?—It is not very likely; it is possible.

3449. Should you think it could turn out to be a document fit for the Fœdera?—No.

3450. If this poem has been printed by the Record Commission it has either been printed as a portion of the materials for the History of Great Britain or the Fœdera; you say it could not enter into the last?—It may be valuable for the literary History of Britain.

3451. As it could not enter into the Fœdera, can you account for it not being mentioned to you who were charged with collecting the materials for the History of Britain?—No; I know nothing of the extent of research or its object, except that lately I have heard in conversation something of the sort was going on; and occasionally, as I have already stated, the secretary has sent to ask questions of me regarding certain historical matter, or in one or two instances has communicated the titles of them to me; but never with the least intimation that he was working in aid of me or my undertaking: it never entered into my mind to speculate upon the possible course he was pursuing, because I knew nothing of the transactions of the board except by what I received in the shape of orders transmitted by the secretary.

3452. In general, do you think that it is better to print from the originals here, or from copies existing in foreign countries?—There can be no doubt about it; and we record people should call it a libel upon us to speak of printing from copies if the originals were in the Tower.

3453. If you had the original at the Tower should you think it wise to send over to Hamburgh for a copy and print from that?—I should think not. But I should observe, that if a man is engaged in making inquiries abroad, it will often happen that much of his labour will run to waste; how far that may apply to the cases you have mentioned I pretend not to say.

3454. Should you think it possible, with ordinary care, that 40 or 50 pages of this closely-printed document should have been transcribed and printed, which should turn out to be, with hardly any exceptions, copies of documents of which the originals existed in the Tower, and the Town Clerk's Office, in the city of London?—Had it been my own case, when I received transcripts from abroad, my endeavour would have been to ascertain whether the instruments were to be found here. In the first instance, the transcript would be only the means of communicating what was to be found elsewhere; but when I got that transcript, I should have felt it incumbent upon me to go to those places where I thought it likely the originals might be found, and verify them.

3455. Did you get at Brussels a poem called "De Bello Normanico"?—I got the poem called "De Bello Hustingensi" there: it is standing in type; it has not been worked off.

3456. Do you know the utility of printing it again in this work?—I cannot tell.

3457. Did you know it was going to be printed in this work?—No; I have heard of it lately. I went to Brussels in 1828 purposely to transcribe that poem. I was informed by Mr. Pertz, the editor of the German collection, that there was such

such a thing, and that there was also a second copy there. I found one copy, the other I have not found. A few months since a gentleman was kind enough to show me a portion of a manuscript recently discovered at Brussels relating to the Norman Conquest, and I found it was a fragment of the work which I had transcribed entire.

3458. That poem is printed in your work?—It has been standing in type for the last three years.

3495. Do you know whether this is a print from the same manuscript?—I cannot tell; it looks very like it; it looks very like a print from my print.

3460. Are these notes yours?—No: that I should say is my conjectural emendation, and that also I should say, (*pointing to different parts of the poem,*) because in my print I have followed the manuscript exactly, and the conjectural emendations are placed in the margin; a practice I have always adhered to.

3461. Are those conjectural emendations chiefly yours?—As far as I see at present they appear to be mine; that, for example, is mine, and I should very much question whether the same emendation would occur to two persons, because it is come at by a very peculiar process. In the text it is read 'chrisontana:' we could make nothing of that; but by supposing the first stroke of the *n* a little elongated, it would make an *l*, and the next would make an *i*, and we should then have the word 'chrisolitana.'

3462. You do not think it likely that Mr. Cooper should hit upon the same conjectural emendation?—No; but I leave that to others to decide. If I had my own copy here, I could trace the emendations from beginning to end, and could give a better opinion upon the matter; but it appears to me that the position of the *l* and of the *n* is exactly so in my printed copy. There is no separation of lines in the MS. I used, and there is no indication of imperfection at the end, as the poem ceases about the middle of a column, and is followed by another work; but I have conjectured, in a note, that something is probably wanting, although the sense be complete.

3463. Then the result of this is, that this is not a copy from the manuscript at Brussels, but from your printed copy?—My conjecture is, from a variety of circumstances, that this has been printed from my edition standing in type; that is my conjecture. But it would require a good deal of careful comparison before I could come to a positive decision. It is very unusual for a proof to go out of the printer's hands on any occasion; but of course he can tell whether he has supplied anybody with the proofs of that part of my work.

3464. It would appear that your edition of this poem, bearing your name, is not yet published?—No; it is in type.

3465. But the work which you yourself originally transcribed and amended appears to be printed in a work of the commission, from your corrections, without any mention of their obligations to you for it, and with Mr. Cooper's name at the bottom of the page?—It appears to me, from the circumstances I have just pointed out, and perhaps it would do so from more still if I could go through them, that my future edition has been resorted to, at least for the emendations. If I had a copy of it before me, and an opportunity of comparing it with my transcript, perhaps I could speak more to the purpose. My transcript was made at first rather hastily. I had it set up in type, and sent over a proof for the librarian at Brussels to correct, or to verify certain parts that appeared to me likely to be faulty, but which did not turn out to be so; but there were one or two slight variations of spelling, which I did not think it worth while to notice, that he furnished me with; if it has been printed from a copy of the Brussels manuscript it will probably contain those variations of spelling.

3466. It is printed in Appendix C. to the report by Mr. Cooper, and no mention is made of your name?—No; if Mr. Cooper got it from the manuscript directly at Brussels, there was no occasion to mention my name; but if he knew it was in my volume, which I conceive he did, it was superfluous to print it here.

3467. He has printed it in the same page at the bottom of which his own name is placed?—Yes, that is my conjecture.

3468. Do you know whether any copies of your work on British Historians have been sent abroad?—I have reason to believe one has, because I have seen in the preface to a German book by Dr. Lappenberg acknowledgments of the kindness of Mr. Cooper in sending the printed sheets of my work to him.

3469. Was that done with your sanction?—Not at all; quite the reverse.

3470. Did

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3470. Did you approve of it?—I should say that it is a most gross abuse of confidence. I should say that neither Mr. Cooper, nor, with all due respect be it said, the board itself, had any right to send my book abroad till I had given it into their hands as complete.

3471. Mr. *Pusey.*] You consider this proposed collection of materials for the History of Great Britain an important national undertaking?—Unquestionably I do. It is in its kind one of the noblest of undertakings. Similar collections have already been made in a few foreign countries; and if ours be executed as it should be, it will do us honour as long as our country shall endure. Future historians will especially be indebted to us for sparing them the labour of almost interminable research, by putting before them, in the best possible form, the materials required for the composition of their works.

3472. Do you conceive that former historians have been less successful in writing their histories than they might otherwise have been, in consequence of the absence of such a collection?—Unquestionably; former historians either had not the means, or did not take the trouble to weigh their several authorities. If any one will take the trouble to look into Hume's history he will frequently find, in the early portion of it especially, references to half a dozen authorities, and often the worst of them placed foremost; whereas with such a collection as we are now engaged on before him, he would have found that, in many instances, the whole of the authority was derived from one of the number, and of course that one the best.

3473. From your acquaintance with the early part of our history, should you say that Hume's history contains a correct representation of the state of the country at that time?—I only mention this to show the proneness of men to take authorities at random, instead of being able to put their fingers upon one author and say, he is the only person who tells the story in a way worth repeating.

3474. Do you consider it desirable that a more accurate and full history should be written of this country than any which we at present possess?—Exactly so; in proportion as the materials for writing history are brought together in a condensed and systematic form, with appropriate illustrative criticism applied to them, I take it for granted that the modern historian would be much better able to appreciate the comparative value of authorities than he now is. And it is upon this principle that our plan has been formed and acted upon; namely, to bring at once under the eye of an observant person the best materials for his purpose.

3475. Having stated you think it desirable that a more accurate work upon history should be written than we possess, do you conceive that a person competent to undertake the task would labour under great disadvantages from the absence of the work alluded to?—Undoubtedly. With the materials before him, what sort of a work he will write will depend upon his bias and his qualifications for such a task; but a very large proportion of the materials here proposed to be brought together are scattered about in such a way, that it would cost a man nearly half his life to hunt them up.

3476. Can you suggest any plan for proceeding with a reasonable degree of rapidity to complete this collection of 25 volumes?—No. I take it for granted that a plan of this sort could only be adopted and prosecuted under a Government which, having once satisfied itself of the desirableness of such a work, and of the integrity and capableness of the persons employed on it, should trust to them for its completion as soon as it could be properly executed; for here time and apparent progress are not commensurate; inasmuch as frequently the greater part of a man's labour, so far as apparent results are concerned, turns to little or no account.

3477. In order to obtain greater rapidity, would it not be desirable to place different periods in different hands?—I have my doubts about it. When one period is completed, how far it might be practicable to do so would be a question for consideration.

3478. If you had one controlling authority, might you not engage several literary persons upon this work at once?—Perhaps it might be possible to do so hereafter; but when I began this work, so far from finding a person able to assist me in the literary part of it, I could not even find a transcriber: I am speaking of the case at the outset; whether hereafter persons so qualified might not be found, is another question.

3479. *Chairman.*] You would have no difficulty in finding transcribers now?—No; I did find or make them very soon, but I could not find them at first.

3480. You have heard of a school of young transcribers that the Record Commission has formed, and whom they are educating?—I do not know how they are employed; if they are merely taught to copy diplomatically they would not suit my purpose. Several persons of that description came to me, who had been employed upon such transcription as was required at that time. But, in addition to a pictorial knowledge of the handwriting, a certain degree of scholarship that should enable them to extend the contractions, was necessary for my purpose. Whether the persons employed by the commissioners are required to do that, or merely to copy, I cannot tell.

3481. I am asking you whether you are not aware, that if you wanted the best educated transcribers, your efforts would now be very much aided by the circumstance of the Record Commission having educated a school of young transcribers, for whose education a valuable library has been purchased?—I know nothing of it; only by what I see going on I perceive there are many more persons capable of copying manuscripts in some way or other than formerly; but, as I have already stated, in what way the young men in question are educated I am ignorant.

3482. Mr. *Pusey.*] You doubt whether you could find a sufficient number of literary persons in this country competent to carry on this work, if divided into parts?—I should think I could now; but the subject at the time I began was in a state of suspended animation; nobody knew or cared anything about it; but now I see a great deal of curiosity about ancient literature.

3483. Are you aware of the names of the scholars who are engaged upon the great German works?—I know Dr. Pertz very well.

3484. Do you know the number of persons employed upon it?—No. I observe that Dr. Pertz has a good deal of assistance with respect to many pieces relating to the Monastery of St. Gal.

3485. The documents published in Germany are probably such, that a person who was able to edit them would be equally able to edit our own monuments?—If their researches have turned to the study of our history, they would, but otherwise, a man who might be able to edit a work in Germany, and should be transported to England, and required to edit a similar work relating to this country, would be like one falling from the clouds.

3486. Would not the writing and the transcription be similar?—Yes; but to edit a work of the kind in question it is necessary for a person to have a library in his head: it is not enough to say that a transcript is an exact representation of a manuscript; he must know its character and bearing upon what he already possesses; what it possesses that is new; and what it has of old and worthless.

3487. You still think it extremely desirable in a national point of view that such a collection should be formed, and that there would be great difficulty in undertaking the writing a satisfactory history of Britain until this collection is formed?—Yes, to a certain extent; because there is probably a vast quantity of matter to which a writer would otherwise have no access; what is now to be found in manuscript would probably be, in a great measure, new to him. He cannot run about from London to York, from Cambridge to Oxford, to examine manuscripts; somebody else must do that for him.

3488. And it is not likely that any such collection could be undertaken by any private publisher?—It is quite impossible; when it is published it will probably have a very limited sale. The great work of Don Bouquet, when the monasteries were in existence, paid very well; but since the Revolution I have been told the sale of the latter volumes never exceeded 250 or 300.

3489. *Chairman.*] Is this your plan (*showing a book to the Witness*)?—Yes, this is the 'outline' which I put into the hands of several noblemen and gentlemen, and afterwards I enlarged it into this 'sketch of a plan;' that sketch of a plan was afterwards compressed into the plan adopted by the Record Commission.

3490. Is this your list of materials?—That is a list furnished to the board of the principal authorities that had at that time been consulted; and I presume you will find more upon the same subject.

3491. Are these your notes (*pointing to another part of the work*)?—These are my notes; at least I believe so; no, these never belonged to me, I believe (*the Witness examined the work*); that in brackets I had nothing to do with; I had no concern with it. I do not know whose contribution it may have been; it may have been the late Mr. Price's; this I presume is a transcript; I cannot speak positively. The first in the 'outline,' which, as I have already stated, I circulated among

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my friends; afterwards I drew up this 'sketch of a plan,' and by way of giving a more complete notion of what my object was, I made references to certain writers, which would exemplify the thing I had in view at the time.

3492. It was put into the work without your consent or knowledge?—The first knowledge I had of a design to print anything of the kind was, by receiving from the secretary a proof sheet of the list of manuscripts which I had caused to be transcribed for the work on which I was engaged, with a request on the part of the commissioners that I would correct it for the press. I was very much struck with this; and I wrote to the secretary to request he would furnish me with a copy of the order of the board for the printing of this list; but I never got any answer from him. I was told he had never received my letter, but he never repeated his application to me for the proof sheet, which I have in my pocket: so that whether the whole of this be surreptitious, or whether it had the authority of the board, up to this moment I know not. The impression on my mind is that it is surreptitious; but peculiar circumstances induced me, as well on that as on some other occasions, to abstain from addressing the board on the subject.

3493. As keeper of the records in the Tower, have you had many communications with the board?—Yes.

3494. How have they been; through the secretary?—They have been, of course, through the secretary. Sometimes I have had no copy of the minute of the board sent at first, and after a certain time I have thought it right to ask for the minute.

3495. What made you do that?—I saw great impropriety in corresponding with the organ of a public board in what might be called a private manner.

3496. Had you experienced any inconvenience from it?—I thought it likely inconvenience would arise, and I thought it best to go to work in the right way; I therefore suggested that we should proceed officially without interrupting that friendly intercourse which proper occasions might call forth.

3497. Do you suppose the board or Mr. Cooper had any reason to apprehend that obstacles might be thrown by you in the way of transcripts being made of the records in the Tower?—I cannot conceive what they might have thought; I should conceive not.

3498. Has there been any delay in executing the orders of the board?—No: the only delay that could possibly arise on such occasions would be occasioned by transcribing the order and sending it to me: but I never stopped for that; when I received a communication, although there was no order with it, I immediately gave instructions for the work to go on.

3499. You do not think you threw any such obstacles in the way of the proceedings of the board, as to justify the secretary in requesting that transcripts should be made *sub rosa*?—Under the rose! I beg leave to say, I consider my office so completely open that there is not, nor ought to be, any secret transactions going on there; and I should have been disposed to visit with a great deal of severity anybody that might be acting in the manner alluded to. Perhaps you will allow me to add, and it may be possibly within the scope of the question, that as soon as I received a communication from the secretary relating to any matter to be done in the office under the board, I immediately gave orders that the party, whoever it might be, should have every facility afforded him: the communication was shown to the first clerk, who manages that department, and it was his duty to give the person named every possible facility.

3500. Sir *Robert H. Inglis.*] Have you read the evidence of Mr. Cooper?—No, I have not read any of the evidence.

3501. *Chairman.*] You think that any apprehension of your throwing obstacles in the way must be, as Mr. Cooper states in his evidence to question 1135, an unfounded apprehension?—I am quite satisfied of that. If Mr. Cooper would state any particular fact, I should be better able to deal with it, because I cannot at present catch a glimpse of the matter in question; but if Mr. Cooper will state there is any reason to believe that his progress in whatever he was employed upon was impeded by my refusal to adopt his communication independently of the order of the board, I should be able to deal with it. I will state generally and broadly and positively, that I never for a moment threw an obstacle in the way of any gentleman who was employed by the board at the Tower; on the contrary, I always give them more licence and more facility than the order they presented to me required.

3502. What have been the operations of the commission upon the Tower records?—That I cannot tell; there is no communication made to me as to what the gentlemen have been employed upon. When an order comes, I give directions for it to be obeyed, and the muniments they require are entered in a book before they are given to them. I can know what they have had by referring to the book, but I know nothing of the result of their labour. *Henry Petrie*, Esq. 6 May 1836.

3503. The records in the Tower are pretty well arranged?—Very well arranged.

3504. Have you ever requested any assistance from the commissioners?—I never wanted any.

3505. Are the calendars as good as they could be?—No.

3506. Have the commissioners taken any steps to improve them?—I have had no communication with the commissioners upon the subject; I think I have had on one occasion information given me that some gentleman was employed to make a calendar of the Miscellaneous Rolls, and so forth, I believe Sir Francis Palgrave, and all facilities were afforded him for that labour, but to what extent that labour might have gone I know nothing.

3507. You know the Miscellaneous Rolls?—Yes.

3508. You know their character?—It depends upon what you include in that designation.

3509. Those that Sir Francis Palgrave was employed upon?—There are many rolls, &c. at the Tower, which have been improperly called Miscellaneous Rolls; there are several regular series of rolls or documents which have been so called.

3510. Do you know the documents that Sir Francis Palgrave was employed upon there?—Yes; I should know them generally.

3511. Was a catalogue required for them?—In some cases it was.

3512. Have you seen his catalogue?—No.

3513. Is Mr. Stevenson employed at the Tower?—Yes, under the Record Commission.

3514. Do you know what he is employed upon?—I cannot state; I think his object, if I recollect rightly, was to make a calendar, but I cannot speak to that; Mr. Stevenson can probably inform you.

3515. You still keep up your researches among records, do you not?—Yes, anything at all connected with my pursuit.

3516. Have you perused any of the works of the Record Commission?—No, I cannot say I have. I have occasionally consulted them in one or two instances.

3517. Are you able to form any opinion of their value?—No, not having examined them, I cannot.

3518. From the nature of the works they have printed, do you think that their operations have been judicious in the selection of works?—I would rather decline giving an opinion, as I have not examined them sufficiently to form a notion of their probable beneficial results.

3519. Have you any further statement to make respecting any matter you have been examined upon?—I am not aware of any; I am very ready to answer any questions that may be put to me.

3520. Is there any subject on which you have been examined upon which you wish to add anything?—I am not aware of anything.

Thomas Duffus Hardy, Esq., called in; and Examined.

3521. *Chairman.*] YOU are chief clerk at the Tower?—I am. *Thomas D. Hardy*, Esq.

3522. How long have you been employed there?—Upwards of 17 years.

3523. Are you sure you are chief clerk?—Quite sure.

3524. Are you not aware that there is no such office as the chief clerkship of the Tower in existence?—Having, in the course of last year, seen in a book printed by the Record Commission that the commissioners had recommended that the office of chief clerk should be abolished, I waited upon Mr. Cooper, and represented to him the injustice of such a recommendation; he told me that he was very sorry indeed; that he did not mean to hurt me or any other person; that the thing was done and could not be undone. A great deal more was said, not necessary to be repeated. Upon which I immediately applied to the Lords of the Treasury, and forwarded a memorial, which their Lordships were pleased immediately to take into consideration, and appointed me to the situation of chief clerk.

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3525. Have you been employed in editing works under the Board?—I have.

3526. Since when?—I submitted a plan for printing the Close Rolls to the secretary, for the approval of the board, at the latter end of December 1831; that plan I had previously submitted to Sir John Leach, the late Master of the Rolls, of which he approved, and wished it to be carried into effect. Mr. Cooper told me he had read over my prospectus, and very much approved of it, and would recommend it to the board to be adopted. In the beginning of February 1832 he wrote, and informed me that he had obtained an order of the board for printing the Close Rolls upon the plan I had submitted.

3527. Were you engaged as a sub-commissioner by the board?—I certainly concluded that I was a sub-commissioner, as being sole editor of a work under the immediate direction of the board.

3528. Did you conceive you were employed by the board or by Mr. Cooper?—Decidedly by the board.

3529. You did not conceive you were acting as Mr. Cooper's clerk?—Certainly not; it never entered my thoughts that I could be considered as acting in such a capacity.

3530. In the discharge of your duty as editor have you advanced money?—Frequently, and to a considerable amount, to the various clerks and transcribers employed under me.

3531. Should you have done that without supposing that the board was responsible for it?—By no means; I should not have thought myself justified in running such risk upon private or individual responsibility; but always understanding that I was employed immediately under the board, I felt myself perfectly safe in making such advances.

3532. In Mr. Cooper's letters respecting you, or to you, has he treated you as a sub-commissioner?—He has frequently so denominated me.

3533. In his letters?—Yes; and especially in one letter, wherein I recollect having applied to him for some of the record publications, to which I was entitled as being a sub-commissioner; upon which he immediately sent me an order upon Messrs. Baldwin & Cradock, in the following words: "Be pleased to deliver to Mr. Hardy, one of our sub-commissioners," such and such works; and in his letters to me he has also called me a sub-commissioner.

3534. Verbally did he make use of that expression?—Yes, on many occasions he has so denominated me.

3535. Did you not think that the designation of sub-commissioner evidently showed you were employed by the board and not by Mr. Cooper?—Unquestionably, I conceived that I was in the employ of the board.

3536. Did you ever have any communications with the board?—Never personally.

3537. How were your communications from the board received?—Through Mr. Cooper, as the secretary.

3538. Did he tell you that was sufficient?—I always understood so.

3539. Have you ever discovered that you were not a sub-commissioner?—The first time of its being so intimated to me was subsequent to my presenting a memorial to the board, in consequence of the ill treatment of Mr. Cooper, in abruptly dismissing me from my employment by what I considered an undue exercise of his authority. Shortly after my presentation of that memorial, Mr. Cooper opened a correspondence with me upon the subject of it, and in one of his letters announced to me for the first time that I was not, and never had been, a sub-commissioner, for that the board had intrusted all my works to him, and that "he" had employed me.

3540. In consequence of this, did any further communication take place?—Yes, a great deal of correspondence ensued, which I printed in a supplemental memorial, and also presented to the Commissioners, but I have never been informed officially of the result of either.

3541. What was the consequence of your memorial being presented to the board; did anything follow from the presentation of your memorial?—I merely had a letter from one of Mr. Cooper's clerks, desiring me to wait upon Mr. Hallam and Mr. Pettit, who would go into that portion of my account unsettled by Mr. Cooper. Out of respect to the commissioners I accordingly attended those gentlemen, but I have never heard the result of their deliberation. Mr. Pettit has indeed told me privately that the board had come to a determination of paying the money left unsettled between Mr. Cooper and me.

3542. To pay you the whole amount?—Yes.

3543. Sir *Robert H. Inglis.*] Are you a sub-commissioner now?—I am not, that is, if I were wrong in so considering myself from the first; I have indeed a letter from Mr. Cooper, stating that Mr. Hallam, on the 6th of April ult., proposed to the board that I should be then nominated a sub-commissioner; but I am informed, after a great deal of conversation at the board, that it was found advisable for Mr. Hallam to withdraw his motion; that the board however then came to a determination of proceeding with the works entrusted to my care under the order of May 1834; "the whole responsibility and superintendence, the continuance and the discontinuance," of which Mr. Cooper claims to have been "expressly left with him;" a claim which I always have, and still do dispute.

3544. *Chairman.*] Were not you at any time out of the employ of the Record Commission in December or January last?—I certainly do consider myself as dismissed from the service of the board by Mr. Cooper ever since the 24th August 1835; for all my works have been suspended; some upon the very eve of completion; my clerk removed; and a great number of transcripts I had prepared for publication taken out of my possession.

3545. In what manner were you dismissed?—In a very abrupt manner.

3546. By a letter from Mr. Cooper?—Yes, by a letter from him.

3547. On what account were you dismissed?—I can only collect that from expressions used by Mr. Cooper in letters written by him to me and other persons; in one of which he says, that "I had sent my brother to utter impertinences in the presence of his clerks;" and that "I had written letters which made it impossible for him to employ me any longer to execute the order of the board." In another, "he declined all personal intercourse with me, and required me to give up my transcripts;" and upon my refusal to give up such transcripts at his demand (which I then considered an improper one, having paid for them out of my own funds), I received from Mr. Cooper the following communication: "Sir, your refusal to give up the unused transcripts makes it impossible for me to come to such a settlement of your account as I had intended; your conduct, too, is altogether so extraordinary, that I do not feel disposed to take upon myself for the future the responsibility of employing you in carrying into effect the order made by the board on the 17th of May 1834, relative to the early rolls at the Tower, the execution of which was confided to me; your engagement, therefore, with me is at an end." From that time I have, therefore, considered myself as no longer in the employ of the board.

3548. Fancying yourself, as you stated before, a sub-commissioner in the employ of the board, how was it, upon receiving that dismissal from a person you thought had no right to dismiss you, you did not apply to the board?—I did present to the board a copy of the memorial now in my hand.

3549. Was anything done upon that?—I have been given to understand, through the kindness of one of the commissioners, that the only point the board had taken up was, whether I had ever been appointed a sub-commissioner *eo nomine*, and that Mr. Cooper having assured the board I had never been appointed a sub-commissioner, they considered me Mr. Cooper's clerk, and as such, liable to be removed by him.

3550. How do you account for Mr. Cooper having stated in his evidence you are an editor in the employ of the board, and have the task of editing the rolls of John, and other rolls (answer 46)?—I cannot account for it; I can only repeat to the Committee, that since August 1835 I have not considered myself employed under the board.

3551. Then either Mr. Cooper has made a mistake, or you have been in the employ of the board without your being aware of it?—As I feel quite confident that I have not been in the employ of the board since August 1835, I conclude the mistake must lie with Mr. Cooper.

3552. Have you as yet obtained payment of the money?—No; nor have I received any official notification that the commissioners have awarded me any payment; I have indeed heard from Mr. Pettit, unless I misunderstood him, that the board considered me entitled to what I demanded, and I wrote to Mr. Cooper upon that information, who replied that he had no money in hand.

3553. It would appear, from the statement you have made, that you have discovered you had erroneously supposed you were a sub-commissioner, and in the employ of the board; was that error in your mind caused entirely by Mr. Cooper's written and verbal communications?—Certainly, from Mr. Cooper's written and verbal communications I did consider myself a sub-commissioner; but not only from

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from those communications, for I also considered myself virtually a sub-commissioner, as being an editor.

3554. What is the state of the records in the Tower?—I should say very good indeed; the arrangement I do not think can be well improved.

3555. Are the calendars good?—Not very good. As far as legal purposes are concerned they are very fair, but for historical matters they may be considered as deficient.

3556. Do you think the commission would have done good service by having calendars made at the Tower?—I think that to be one of the things which the commission might beneficially have done.

3557. Has it done anything towards it?—No; but I believe that Sir Francis Palgrave was employed or directed by the board to make calendars to certain of our records; but I am not aware that he ever effected anything of the kind.

3558. Do you not know that Mr. Stevenson has been employed in making calendars there?—Mr. Stevenson has been employed at the Tower; but, if I understand the orders of the board correctly, he did not come there expressly to make calendars, but for the purpose of making collections for the Fœdera. I believe Mr. Stevenson considered himself to have been employed by the board for that purpose; and certainly the order of the board received by Mr. Petrie relative to Mr. Stevenson could not be interpreted in the way alluded to by the Honourable Chairman.

3559. What was the purport of that order of the board?—That the commissioners being desirous of continuing certain collections relative to Rymer's Fœdera, appointed Mr. Stevenson to carry into effect such intention; and Mr. Petrie was requested to give him free access to all our records, particularly the Miscellaneous Records, and that he should be at liberty, by himself or his clerks, to transcribe such as he conceived came within the scope of his instructions.

3560. Did Sir Francis Palgrave employ himself in making transcripts?—That was all I conceive that Sir Francis Palgrave did; he certainly did nothing in the way of making calendars.

3561. Did Mr. Stevenson do anything in the way of making calendars?—To judge from the office-book, which contains an account of every document delivered out to him, I should say that Mr. Stevenson employed himself, according to the directions of the board, in making collections for the Fœdera; and I consider that Mr. Stevenson has employed himself very usefully, and have no doubt that his labours will turn to great advantages.

3562. The question is, whether he has been engaged upon the Fœdera, or in sorting, arranging and calendaring the records?—I should say, not in arranging and calendaring the records; for there was no need of anything of the kind, or at least very little. I am, of course, alluding here to the Miscellaneous Records.

3563. You do not think he could have made a calendar without your knowledge?—I have the means of proving that he could not; for in this book is contained a list of all the documents used by Mr. Stevenson, or any one else employed by the Board.

3564. Has not Mr. Illingworth, in a pamphlet, made some complaints respecting the arrangements in the Tower?—He has, most unjustly and improperly.

3565. You think that those complaints are not founded?—They are not founded in fact.

3566. Have not these charges you designate as unjust been published by the commission?—Yes. To my great surprise, I have seen the pamphlet containing those charges printed under the direction of His Majesty's Commissioners of Public Records; and certainly the keeper and other officers of the establishment felt it keenly, that such a publication should have been allowed to be circulated without giving them an opportunity of contradicting and proving the unjustness of such statements.

3567. Was any communication of this censure made to you by the board?—No, nor was any copy of the pamphlet ever sent to Mr. Petrie or myself; and it was only by the greatest chance I saw it, two years after its publication.

3568. Were the alleged defects in the office ever pointed out to you by the commissioners?—Never.

3569. Then it appears that the commission has been employing the public money in printing charges respecting persons under its own superintendence, without previously communicating such charges to those persons, and which you designate as wholly unfounded?—That is my impression; for the title of the pamphlet

pamphlet states it to have been drawn up by the desire of His Majesty's Commissioners on Public Records: and though printed for their use, has I understand been very widely circulated.

3570. Do you know whether any copy of it has found its way into the British Museum?—I suspect so; I know several persons into whose hands a copy has fallen, and I therefore conceive that it has been circulated, although stated to be printed for the use of the commissioners.

3571. You were at the Tower during the time Sir Francis Palgrave was there?—Yes.

3572. Do you know whether, during that time, he was actively engaged as a municipal corporation commissioner?—Yes; during a considerable portion of the time which he had orders to devote to the arranging, sorting and digesting our records, he was employed as a municipal corporation commissioner. The order directing Sir Francis Palgrave to sort and arrange the Miscellaneous Records was made in March 1833, and he continued in the capacity of sub-commissioner employed upon that work until he was appointed keeper of the records in the Chapter-office at Westminster.

3573. When was that?—I think in May 1834.

3574. So that during part of the time he was at the Tower he was engaged as a corporation commissioner?—He was, from September 1833 till May 1834.

3575. Do you know whether his inquiries, as corporation commissioner, were not directed to the city of London in particular?—They were; he was the commissioner appointed to the London district.

3576. Then, being in the Tower on the business of the commission, he employed himself also on the business of this other commission?—He did.

3577. Sir *Robert H. Inglis.*] Are you aware of the terms under which Sir Francis Palgrave's services have been retained by His Majesty's Commissioners of Records?—Yes; 1,000*l.* a year, at the time he was employed on the Tower records.

3578. Are you aware of the terms with respect to the employment of his surplus time?—I have understood, from Mr. Cooper, that Sir Francis Palgrave's services had been engaged by the commission, and that the whole of his time was to be entirely given up to the service of the commission for 1,000*l.* a year.

3579. You have not seen the minute upon the subject?—No.

3580. *Chairman.*] What time, while Sir Francis Palgrave was employed in these two capacities, did he devote to his business in the Tower?—If you would excuse my answering the question I ——

3581. You can say what time?—In answering that question I mean nothing at all offensive to Sir Francis Palgrave, but my impression is that the greatest portion of his time was devoted to the corporation commission.

3582. How large a portion of his time did he apply to making calendars, or in any other work, in the Tower?—To making calendars he applied no time, for I know of none that he made.

3583. To other work at the Tower?—I should say a very small portion of his time was spent at the Tower.

3584. Did he employ an hour a day?—There were several days he did not come near the Tower at all.

3585. When he did come, did he stay long?—Sometimes an hour or half an hour.

3586. Did he ever stay 12 hours?—No, I do not think he ever staid so long as that.

3587. Did he stay two or three hours?—Taking one day with another, I should say the average was about an hour.

3588. Sir *Robert H. Inglis.*] Had he any person employed under him?—Yes, several clerks.

3589. Then he came probably to superintend the work done by his clerks?—Yes, I should say that was his object.

3590. And to give them instructions for their proceeding?—Yes.

3591. *Chairman.*] It appears upon the minute of the board that the salary of Sir Francis Palgrave as sub-commissioner of the formation and publication of the calendars of miscellaneous unsorted and uncalendered records at the Tower, as superintendent of the transcription of foreign state papers, pipe rolls and other records and documents, as editor of parliamentary writs, &c., &c., &c., is to be 1,000 *l.* a year, such salary not to be considered to preclude Sir Francis Palgrave

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from any avocation or employment not inconsistent with his duties under the board as sub-commissioner of the formation and the publication of calendars; he did nothing with respect to the calendars?—He made no calendar whatever to our records.

3592. And the business of the municipal corporation commission not being inconsistent with his duties, he occupied himself in that, and devoted, as far as you could perceive, about an hour a day when he attended to the business at the Tower?—If Sir Francis Palgrave considered that the office of sub-commissioner of public records and commissioner of the corporation commission did not at all clash, and that the two offices could go on simultaneously, he doubtlessly acted accordingly.

3593. Sir *Robert H. Inglis.*] Can you state to the Committee, from your own knowledge, that Sir Francis Palgrave was or was not employed in other works confided to him by the commission, under the general retainer in the minute last quoted to you, during the time in respect to which you state that he gave an hour a day to the personal superintendence of the work carried on by his clerks in the Tower?—I should say that the greatest portion of the work of an editor could not be performed away from the office where the records were contained upon which he ought to be employed. He might, however, perform certain work elsewhere, such as writing a preface or an essay; for instance, the essay upon the Jurisdiction of the Council could be done at home without coming near the Tower.

3594. But with respect to other works confided to Sir Francis Palgrave, are you able to state whether he were or were not engaged upon them?—I cannot reply to that question.

3595. You do not know what Sir Francis Palgrave did with his time, other than the time he devoted to superintending his clerks in the same office with you?—A great portion of an editor's time, engaged as Sir Francis Palgrave's was, ought necessarily to have been employed in the Tower, where the greater portion of his work was to be executed.

3596. In the answer last given, you refer to Sir Francis Palgrave as engaged upon one distinct work under the commission in the terms of the minute read to you; several works are referred to; can you state whether he were or were not employed upon those other works?—No, certainly not; I speak of the arranging and sorting the Miscellaneous Records in the Tower.

3597. *Chairman.*] He is stated to be the superintendent of the transcription of foreign state papers; are they in the Tower?—Yes.

3598. He could not superintend that transcription without coming to the Tower?—No. I presume no one can be said to superintend a work unless he be constantly present at the place where the work is in progress.

3599. Sir *Robert H. Inglis.*] Had he clerks employed in the transcription?—Yes.

3600. Did he superintend them?—Yes, in the way I have before stated.

3601. *Chairman.*] Are the Pipe Rolls in the Tower?—There are two Chancellors' Rolls in the Tower, which are similar.

3602. This work of superintendence was done at the time you have mentioned?—There were some weeks during which Sir Francis Palgrave would be there every day; at other times he would not be there for a week or a fortnight; I speak only of what he did at our office.

3603. Sometimes he was there every day for several weeks, and sometimes not a single day for several weeks?—A fortnight or three weeks.

3604. And during the days he was there he staid about an hour a day on an average?—I mean during the time he was employed as a municipal corporation commissioner; at other times, in the earlier years of his employment at the Tower, he frequently staid there the whole time the office remained open. I ought, perhaps, to state that Sir Francis Palgrave, during his engagement as editor of the Parliamentary Writs, was most active and indefatigable in his pursuits, and that no person could be more attentive to his duties, studied more, or laboured harder than he, previously to ———

3605. Previously to what?—Previously to the order for sorting and arranging the Miscellaneous Records, and previous to his appointment as a municipal corporation commissioner; he was there frequently from nine o'clock to five, and worked exceedingly hard.

3606. After he became a corporation commissioner you do not apply this eulogium?—No, I cannot say that I can conscientiously.

3607. In

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3607. In what state of arrangement are the Miscellaneous Records in the Tower? —As far as arrangement is concerned, very good.

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3608. All of them?—Yes.

3609. Has anything been done with regard to those records lately?—Sir Francis Palgrave was employed to make calendars and arrange those records, and I believe Mr. Stevenson has also been stated to have been employed to do so; but the order of the board certainly conveyed no such idea.

3610. Do you think that those records are worth arranging?—I should say that a great portion of them are already arranged.

3611. Those that are not arranged?—They are all arranged in classes.

3612. Well arranged?—They are all chronologically arranged, and a good calendar has been made to the most valuable portion.

3613. Are they worth making a calendar to?—I should say the foreign letters and state papers are valuable and are worth calendaring; to the miscellaneous rolls we have already a very good calendar, but there is no calendar to the foreign letters and state papers.

3614. Are the office calendars good?—They could be very much improved.

3615. What has the board done to improve them?—Nothing at all.

3616. Have you seen or heard of the estimate of Mr. Cooper, in which he states that the expense of forming calendars to the records in the Tower would amount to 366,800 *l.*—I have heard of such an estimate certainly.

3617. Have you ever formed an estimate?—Yes, I have.

3618. Of the expense required to form this catalogue?—Yes; I have a very correct estimate, at least I have taken great pains to make it so.

3619. What is your estimate?—The Patent Rolls could be calendared for 9,666 *l.*, the Close Rolls for 4,673 *l.*, the Charter Rolls for 219 *l.*, the Fine Rolls for 3,819 *l.*, the Vascon for 605 *l.*, the Norman for 368 *l.*, the French for 1,213 *l.*, the Liberate for 574 *l.*, all which sums amount to 21,077 *l.*; the Miscellaneous Records could be calendared for 2,640 *l.*, and the Inquisitions could be completed for 1,650 *l.*; making a total of 25,367 *l.*

3620. Sir *Robert H. Inglis.*] What is the basis of the calculation here submitted to the Committee?—The time of three clerks, employed 300 days in the year eight hours a day, each clerk paid at the rate of 2 *s.* per hour, and the editor at 600 *l.* per annum. To arrive at the result, it was found necessary to ascertain the average number of membranes on each roll, as well as the number of instruments upon each membrane, and then to find how long it would take to calendar one membrane of each of the different series of rolls.

3621. *Chairman.*] During the time that persons have been employed by the commission at the Tower have any of the commissioners been there to superintend?—I recollect Mr. Protheroe coming there twice or three times to see how the sub-commissioners or editors were getting on with their works.

3622. Have any official visits been paid?—I do not know whether you could call the visits of Mr. Protheroe official.

3623. Any besides?—I am not sure that Sir Robert Inglis did not come down once, with another honourable commissioner, to supervise Mr. Stevenson's operations. Sir Robert Inglis also, I believe, came down with Mr. Hallam once, for the purpose of inspecting the arrangement of our records, previously to drawing up a report to the board.

3624. Do you know anything of the other record offices; have you ever been employed in searching them?—Yes.

3625. For what purposes?—Legal purposes.

3626. And literary also?—Yes.

3627. Have you searched at the Rolls' Chapel?—Yes, I have.

3628. Are the complaints that have been made of the fees at the Rolls' Chapel well justified; in your opinion are they the subject of justifiable complaint?—I think that the fees at the Rolls' Chapel are, in some instances, too high; and in others I think they are very moderate, when compared with our own.

3629. What is the state of the calendars, and what are the facilities of search in the Rolls' Office?—Speaking as a person unconnected with a record office, I should say the calendars were, perhaps, not so good as could be wished, which occasions a difficulty in searching and some delay; evils that could be remedied if the private indexes were purchased by the public, and the office placed under Government.

3630. In your literary and legal pursuits have you found inconvenience and undergone

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undergone expense, owing to the state of the calendars in the Rolls?—Yes, I have, on various occasions; but which I must attribute to the system, and not to the officers of the establishment.

3631. Do you know the state of the records in the Duchy of Cornwall Office?—I have searched there.

3632. What facilities of access are afforded there?—You can hardly call them facilities, as you are obliged to make an application to the duchy to inspect any particular record, and to state your object, which is, I believe, communicated to the council of the duchy, and if they do not object, you are allowed to search.

3633. Then great obstacles are interposed in the way of searches?—Yes; but if I am to speak from my own experience, I should say, that with respect to Sir George Harrison and Mr. Abbott, I have never experienced any difficulty at all, on the contrary, every kindness and civility.

3634. Do you know the state of the records in the Augmentation Office?—I do.

3635. In what state were they in Mr. Caley's time?—In nearly as bad a state as they could be.

3636. What state are they now in?—I have not seen them since Mr. Cole was removed; but during the time he was there it afforded me the highest satisfaction to observe the great improvement he had effected, not only in the better arrangement of the records in his custody, but also in their being made so much more accessible than they were during Mr. Caley's keepership.

3637. Have you heard of any statement made respecting the division of some of the rolls in the office, under Mr. Cole's arrangement?—I have heard of such a charge.

3638. In your notion, does that division invalidate the documents?—I have not seen the division to which you allude, and therefore cannot say.

3639. A minister's account, containing five or six monasteries, being very large and cumbersome, and continual reference wearing out the first membrane, do you think that the separation of each portion from the whole document, making each portion a separate roll, and numbering them consecutively as they follow, has at all deteriorated the document?—If there were a title to each division, I should say certainly not.

3640. The title being placed to the account of each monastery?—If there were a title to each division, I do not see any objection to it.

3641. Does that mean a contemporaneous title?—Yes; of course I should not approve of a modern title. Many of the Patent and Charter Rolls have been divided; sometimes there are as many as eight parts to a Patent Roll, and many of them without either a contemporary or modern title.

3642. Do you know the Pipe Office?—I have often searched there.

3643. It has been stated by Mr. Cooper there is no difficulty in finding any records there; should you agree with him?—I should not.

3644. The difficulty of finding records there is very great?—Yes; in searching there I have frequently experienced great delays; I have found it necessary sometimes to go down into the vaults to assist the bag-bearer in looking for the roll I required. The vaults are very damp and unwholesome, and I should think dangerous to health.

3645. Do the records in the King's Remembrancer's Office require arrangement?—I should say they did.

3646. Have you seen specimens of Mr. Cole's calendar?—Yes, I have.

3647. By whom were they shown to you?—In the first instance Mr. Cooper showed them to me.

3648. Did he express any opinion of them?—Yes; he told me they were esteemed by himself, and all competent judges, to be very good indeed, and asked me my opinion of them; I corroborated the opinion given by other persons.

3649. Do you still retain that opinion?—I have a very high opinion of them; I sincerely think that they are as good as catalogues can be, and exceedingly useful; indeed, if such a plan as that adopted by Mr. Cole were generally followed, it would conduce very much to a knowledge of the records, and assist the historical inquirer in his researches.

3650. I believe you have been engaged as editor of several works?—Yes, I have, of several.

3651. The publication of the Close Rolls was undertaken in consequence of a plan

a plan laid by you before the secretary?—Yes; the same plan I had previously submitted to Sir John Leach.

3652. It was printed in the first volume of Mr. Cooper's work on records?—Yes, it was.

3653. Is it mentioned there as yours?—No, I am not even alluded to, nor did I know it was printed until Mr. Cooper's work was published.

3654. In what manner has it been printed?—I regret to say very incorrectly; and I feel somewhat aggrieved that Mr. Cooper did not submit the sheets as they passed through the press to my revision, for I should have corrected some very glaring errors which disfigure that portion of his work, and which I fear may have been attributed to me.

3655. It was in the preface of the Close Rolls, I believe, that you defended the judgment of Mr. Cooper in originating the work, in a manner that appears from the evidence of Mr. Protheroe rather to have surprised him; what was that owing to?—Mr. Protheroe has to myself expressed great dissatisfaction that I had dedicated the work to the secretary, when he thought, if made at all, such dedication ought to have been addressed to the board. It was at Mr. Cooper's earnest request that I dedicated the work to him.

3656. Were you appointed to arrange the General Report to His Majesty in the place of Mr. Webster?—I was. Upon the conclusion of the first volume of the Close Rolls Mr. Cooper told me that I was to have what he called a "general retainer," and the first thing I was to do was to arrange the General Report to the King; I believe it is so called. I was employed upon that for some weeks or some months.

3657. In what state did you find it?—The various returns made by different officers were put into my hands; but I could not do much until I had got them all before me.

3658. How did it appear to you that Mr. Webster had done the work you were to take up?—Mr. Cooper told me Mr. Webster had been appointed by Lord Brougham to fill some office under the commissioners, and that he had assigned the General Report to that gentleman, who being found incompetent to the task, after one twelvemonth's trial, the board had determined to put it into the hands of a "record scholar;" that was the expression in Mr. Cooper's letter to me on the subject.

3659. Did you correct the press of the Appendix D. to the Fœdera?—I did, a portion of it.

3660. Did you draw up a report on the Fœdera?—I made a very long and elaborate report thereon, which occupied me from August to December.

3661. What remuneration did you receive for this?—I received 100*l.* for it.

3662. Did this occupy you entirely during that time?—Yes, entirely.

3663. What was the object of this report?—It was upon the inexpediency of continuing Rymer's Fœdera upon the present plan.

3664. Did you suggest that it was inexpedient?—I did. Mr. Cooper had my report, which he says is lost. I have a rough copy of it; but I did not bring it with me.

3665. Did the report dwell on the inexpediency of publishing a continuation of the Fœdera?—Yes, upon the plan hitherto adopted.

3666. What has been done with this report?—It was delivered to Mr. Cooper for the board. He handed it to Mr. Black, but for what purpose I cannot pretend to say.

3667. Have you seen any of the other appendices?—There was one, some of the sheets of which I passed through the press, consisting of copies of documents that came from the Continent. I found them so incorrect, that I was obliged frequently to refer to the record in the Tower on which those documents were enrolled, and correct them accordingly.

3668. Those are the documents in Appendix C.?—The appendix you hold in your hand.

3669. This professes to be taken from the archives of Hamburgh and other foreign cities?—Yes, I believe it does.

3670. Have you compared any of those with the originals in the Tower?—I was obliged to compare them with the enrolment in the Tower, for the reason I have just stated.

3671. Do you find them enrolled?—Yes; and I was thereby able to correct many defects in the copies sent from abroad.

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3672. Then the documents in this book are defective copies of original documents enrolled on the Tower rolls?—Yes, I should say that such transcripts sent to Mr. Cooper were defective transcripts; so defective indeed, that I was frequently obliged, as I have before stated, to refer to the enrolments and collate them therewith.

3673. Then the documents at Hamburgh and the Tower enrolments, at any rate, were equally authentic?—Yes; and for legal purposes I should prefer the enrolment to some documents appearing to be originals.

3674. I mean for literary purposes?—Yes. In such cases the enrolment is of equal value with an original.

3675. Can you conceive the utility of going to any expense in printing documents copied from copies in Hamburgh, when an equally authentic record was existing in England?—I should decidedly say that no advantage could be gained. Moreover, I conceive it to have been the duty of Mr. Cooper, before printing those documents, first to ascertain whether they were not recorded in England. I think every person possessing any knowledge of English diplomas would have known, from the nature of most of the instruments in question, that the greater portion must have passed under either the Great or Privy Seal, and consequently enrolled upon the Rolls of Chancery.

3676. Sir *Robert Inglis.*] What proportion of the appendix in question consists of copies in Hamburgh, or other parts of the Continent?—I have not ascertained the exact proportion, but I see there are several; for instance, at page 16, there is one professing to be from a true copy at Hamburgh, which I find enrolled upon the Patent Rolls of Edward the 4th.

3677. *Chairman.*] Should you not suppose, from the character of these documents printed in that book, that they were all enrolled on the Tower, Rolls' Chapel or in the Town Clerk's Office?—Yes, I should say nearly the whole of them; I cannot say every one of them without a further examination. I see two or three printed in the appendix which I know to be in the Town Clerk's Office.

3678. It has been stated that one of the *rotuli selecti* was printed at your own cost?—I certainly did offer to print it at my own cost, when Mr. Cooper refused to print it at the public cost; for I considered that it would be a merited reflection upon the commissioners if they allowed so large and expensive a work as the Patent Rolls to appear without the roll of the 7th of John, merely because it had been printed in the *rotuli selecti*, where it ought never to have appeared.

3679. It is erroneous if it has been stated that you inserted it at your own expense?—I certainly did not insert it at my own expense. Mr. Cooper's reason for changing his determination is best known to himself.

3680. Do you know anything of a school of young transcribers mentioned in the return to Parliament?—I have heard some such absurd story, but can scarcely credit it.

3681. Do you not know of it?—I do not. There are a few boys employed under Mr. Black, at the British Museum, to make transcripts of Rymer's Collectanea. Mr. Cooper has applied to me, by letter, requesting me to nominate some youths for that task, and that their remuneration was to be 40 *l.* per annum. I have seen Mr. Black's clerks copying at the Museum modern transcripts.

3682. Do you think those persons you have seen at work would require an expensive library to be purchased for any instruction they receive?—I should say, decidedly not.

3683. Have you had the use of any books of the commissioners?—I have had a few that belonged to the old commission, which were taken from The Speaker's Gallery; and when I have applied for others, I was told by Mr. Cooper that I must purchase them myself. I was therefore compelled to buy books to assist me in the works upon which I was engaged for the commissioners, to the extent of 60 *l.* or 70 *l.*

3684. Can you give any account of the works sold as waste paper which have been published by the commissioners?—I believe I was the means of calling the attention of Mr. Cooper to that much-to-be-regretted transaction. I bought some myself as waste paper, and several of my friends made similar purchases. Sir Thomas Phillips, I believe, bought two coach-loads. I carried to Mr. Cooper perfect copy of the Quo Warranto Rolls, which a friend had purchased, with merely the covers torn off; the title-page was complete. Upon my strongly representing to Mr. Cooper the mischief likely to ensue on account of this waste of public property,

property, I believe he immediately wrote to or called upon Baldwin & Cradock on the subject.

3685. Have you any reason to suppose they had been sold by the booksellers as waste paper?—The sale was at a shop in Walbrook; there were heaps of them, quite frightful to contemplate.

3686. You do not think they could have been copies that had been in the possession of a deceased commissioner?—No, there were several ton; and though sold as waste paper, yet were perfect works; they were sold at so much per hundred weight.

3687. What was the extent of them?—I should use the word immense.

3688. A room-full?—Yes; Sir Thomas Phillips bought two hackney-coaches full.

3689. At what rate were they sold?—So much per hundred weight; at about 4 *d.* per pound, the same as the cheesemongers pay for waste paper.

3690. The Right Honourable *Charles W. Williams Wynn.*] When was this?—It was at the commencement of March 1834 that I first called Mr. Cooper's attention to the sale, but which had been going on for some time during February.

3691. Did you understand how they had come there?—I understood they were some works of the old commission, which were not wanted, and sent there for sale to save the cost of warehouse-room.

3692. They did not give you any account?—No more than that they were sent from Messrs. Baldwin & Cradock to be sold for waste paper.

3693. *Chairman.*] Are Messrs. Baldwin & Cradock the publishers for the commissioners?—Yes; they are booksellers and publishers to the commission.

3694. At what rate were you paid for the works you edited?—Two guineas a sheet.

3695. Is that less than any other editor has had, except Mr. Cole?—I do not know what other editors have been paid. I was paid only two guineas a sheet for editorial labour on works in folio, and 150 *l.* for an octavo volume, which latter sum is the same as every other editor receives for similar work.

3696. In what sheets are the Close Rolls printed?—In folio.

3697. At what rate were you paid for that?—Two guineas per sheet.

3698. You were paid two guineas a sheet for folio, and five guineas a sheet for octavo?—Yes. That was the rate of emolument other editors received.

3699. Have your works been suspended?—Every one of them, even those on the eve of completion.

3700. What reason was given for their suspension?—There have been various reasons assigned at different times by Mr. Cooper to me and other persons; there were six reasons given: first, that my brother had behaved in an indecorous manner to Mr. Cooper; secondly, that I asked payment for my preface; thirdly, that there were not sufficient funds to continue the works; fourthly, that I had refused to give up the transcripts; fifthly, that I had written him impertinent letters; and sixthly, that he was the editor appointed by the board, and that I was his mere employee. If the Honourable Chairman will be kind enough to refer to my memorials presented to the Record Board, he will see that the foregoing reasons were urged by Mr. Cooper as the cause of my abrupt dismissal.

3701. Has not Mr. Cooper stated in a letter to you, "is there anywhere in our correspondence, official, semi-official or otherwise, any document showing the scale of your remuneration"?—Yes, he has, and I have printed his letter in my supplemental memorial, which I had the honour of sending to the Record Commissioners.

3702. Does not that denote that Mr. Cooper relied upon there being no written record of any agreement between you?—I could not possibly understand it in any other way.

Lunæ, 9° die Maii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir George Clerk.
Mr. Pusey.	Sir Matthew White Ridley.
Sir Robert H. Inglis.	Mr. Hawes.

MR. CHARLES BULLER, IN THE CHAIR.

Thomas Duffus Hardy, Esq., called in; and further Examined.

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3703. *Chairman.*] HAVE you any further information to give the Committee respecting the calendaring of the Miscellaneous Records?—In order that my calculations of the cost of calendaring the records in the Tower may not be misunderstood, I beg leave to say that my estimate refers to all the records in that repository that are worth calendaring, in which description I do not include the Chancery proceedings, for two reasons; first, because they are very seldom consulted; and secondly, there already exists a calendar of them, quite sufficient for all practical purposes. It will be seen that my estimate, including the Miscellaneous Records, amounts to 25,367 *l.*; whilst that of the secretary for calendaring the series of Chancery rolls, and those only, amounts to 51,350 *l.*; doubling the amount of my calculation, and yet not including the Miscellaneous Records, which mine does. Upon what data Mr. Cooper arrived at so extraordinary a result as that of 366,800 *l.* for calendaring the records in the Tower, it is impossible for me to say or guess, as it is my opinion that all the records in the Tower, which can fairly be denominated as valuable, may, instead of being merely calendared, be even printed for less than 100,000 *l.*

3704. You mean that the whole of the records in the Tower, with the exception of the Chancery proceedings, could be printed for the sum of 100,000 *l.*?—Yes, all worth printing.

3705. You calculate from the expense of printing those that have been already printed?—Exactly so. And since, if I rightly understand the honourable Chairman, Mr. Cooper has stated in evidence that the Miscellaneous Records in the Tower are the most valuable and numerous records in that repository, and that it would cost upwards of 300,000 *l.* to calendar them, although according to my estimate those records may be calendared at a cost under 3,000 *l.*, the Chancery proceedings, as I have before stated, not coming under that designation, and having already a sufficient calendar; I feel it my duty to put the Committee in possession of the fact, that when Sir Francis Palgrave was appointed keeper of the records at the Chapter-house, and thereby removed from the Tower, Mr. Cooper wished me to undertake the task that had been assigned to Sir Francis Palgrave; but upon my informing Mr. Cooper that no arrangement of the Miscellaneous Records in the Tower was required, as the keeper of the records had lately effected all that was necessary, and that the greater portion of those records was not worth the time and cost of calendaring; he stated, that as Sir Francis Palgrave had said so much about our Miscellaneous Records to certain of the commissioners, it would not do to contradict Sir Francis Palgrave's statement; and that if I were unwilling to undertake the task, some other person must be appointed to complete what Sir Francis Palgrave had commenced. I thereupon recommended Mr. Stevenson, a gentleman highly qualified, to calendar that portion which I considered worth calendaring. Mr. Stevenson has also I understand, represented to Mr. Cooper the comparative worthlessness of most of the Miscellaneous Records in the Tower. Whilst upon the subject of Mr. Stevenson, I beg leave to correct a statement which I understand has been made relative to that gentleman, as one of the grounds upon which he was appointed a sub-commissioner in April last; namely, that he has had the custody of some of the records in the Tower. In justice

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justice to Mr. Petrie, to whom alone such custody belongs, I feel it incumbent upon me to declare that no such custody of the records was ever transferred or confided to Mr. Stevenson, any further than that he received such records as he daily wanted, upon receipts for the same; the return of which records was also acknowledged in writing by the record clerk to whom it was restored.

3706. Do you know anything respecting the correctness of a statement that has been made, that after the printing of the Valor Ecclesiasticus, a portion of the materials for that work was found in the Augmentation Office?—I have heard of such a statement, and I have seen the portion that has been found.

3707. It has been stated by an evidence who has been examined before this Committee, the Rev. Mr. Hunter, that that document, so said to be a portion of the Valor, was not a portion of it, and ought not to have entered into the work; are you able to give the Committee any information or opinion upon it?—I have seen the portion that has been found, and compared it with the portion printed in the supplemental volume; and I am of opinion that, had the portion found by Mr. Cole been known at the time when the supplemental volume was in progress, it ought to have been printed in preference to what was printed. My reason for thinking so is, that many portions of the volume in question are printed from documents which appear to be originals, and similar to that portion found by Mr. Cole.

3708. The Valor Ecclesiasticus was compiled, I believe, from certain returns?—Yes.

3709. The document called the Valor may therefore be considered as a compilation from those original returns?—Yes; I should say that the Valor Ecclesiasticus preserved in the First Fruits Office is the Exchequer record or enrolment of the various original returns to the King's commissioners.

3710. Mr. Hunter's opinion was, as far as I can now recollect it, that the document found by Mr. Cole, being one of the original returns, ought not to have entered into the printing of the Valor Ecclesiasticus, which was a print from the compilation from those returns, and not the returns themselves. I understand you to say that Mr. Hunter is not correct in his view of the printed work, for the printed work did not confine itself to the document properly called the Valor, but reprinted many of the originals upon which that Valor was found?—Yes; it is my impression that many of the returns printed in the supplemental volume were original returns. No portion whatever of the supplemental volume is known to exist in the First Fruits Office. The whole of the supplementary volume seems to have been printed from the original returns or contemporaneous copies preserved in the Chapter House and the Augmentation Office.

3711. Then the objection of Mr. Hunter would apply to several of the documents printed by the commissioners?—Yes; nearly to all of them in that volume.

3712. If those ought to have been printed, this ought to have been?—Yes; for it is more ample and important in its details than what has been printed, and which seems to be only a contemporaneous copy, or full abstract of the very original return lately brought to light by Mr. Cole.

3713. Mr. *Pusey*.] Is there not a powder magazine in the neighbourhood of the records in your custody?—There is in the vaults under Cæsar's chapel in the White Tower, and over which magazine all the Chancery proceedings are deposited.

3714. Do you not think that powder is a very dangerous neighbour to the records?—I do, and have no hesitation in saying, as I have been in the magazine, that if an explosion were to take place, a great part of London would suffer; I think the shock would be felt as far as St. Paul's cathedral, the walls of the magazine being so thick, and their resistance proportionably great.

3715. If those records were destroyed, is there any other copy in existence by which they could be supplied?—None; they however are the least valuable of the records in the Tower.

3716. Then you have other records more valuable?—Yes; in the Wakefield tower, or octagon room.

3717. Which would be equally destroyed?—Certainly.

3718. Those other records are some of them most valuable?—Yes, I consider

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them the most valuable in the kingdom; and no copies of them exist, save those printed by the Record Commission.

3719. *Chairman.*] The Committee asked you some questions respecting a document printed in Appendix D. from the archives of the city of Hamburgh; it can hardly be said that either copy is original, because the documents in the Tower are enrolments of letters sent to foreign princes?—Letters to foreign princes and states are certainly enrolled upon the Chancery Rolls.

3720. Both may be said to have equal authenticity, as regards matters of history?—Yes; either an original instrument or its enrolment would be equally useful to the historian.

3721. Had you or any person acquainted with the records of this country been sent to Hamburgh to search the archives there, would you not immediately have known from the nature of the documents, that they were enrolled at the Tower of London or in the Town-clerk's Office?—Yes, or in the Rolls Chapel; the very nature of the instruments in question must have shown that they passed under the Great Seal of England, and consequently were recorded either upon the Patent, Charter, or Close rolls.

3722. Sir *Robert Inglis.*] Do you wish the Committee to understand that the document transcribed at Hamburgh is or is not the original, in the literary sense of the word, irrespectively of its value as evidence in an English court of law?—I see that many of the instruments printed in Appendix C. purport to be taken from copies of documents which are not originals; those taken from ascertained originals would be equally authentic with those in London.

3723. Either in a literary or a legal point of view?—Yes.

3724. *Chairman.*] But many of these documents are not even stated to be originals, but are stated to be taken from copies?—So I understand, by the different titles placed at the commencement of those instruments: wherever there appears to be an original document, it is headed "*Ex orig.*;" when it is a copy, it is "*Ex copiali, &c.*;" and there are several instances of that kind. I apprehend that only those headed "*Ex orig.*" were copied from original documents, and that the rest were taken from copies.

Thomas Thomson, Esq. called in; and Examined.

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3725*. YOU are a sub-commissioner of the Record Commission, are you not?—I was, under the former commission. I believe I have had no renewal of that appointment by the present commission, though I have had a good deal of correspondence with them.

3726*. Are you keeper of the records in Scotland?—I am the deputy of the lord clerk registrar of Scotland, who is the head of the department. I was appointed in 1807.

3727*. In that capacity, have you the custody of the records of the kingdom of Scotland?—I should not call it the custody of the records; I have the control and superintendence of those who have the custody of the records.

3728*. Where are the records kept?—In a building erected in Edinburgh for the national records, and for the public records belonging to the different courts of justice.

3729*. Is that the great registry office?—Yes, that is where the lord registrar resides.

3730*. Are all the records of the kingdom of Scotland kept in that building?—There they ought to be kept, and the records of the kingdom of Scotland are kept there; but in every shire, and in every borough, there are record offices which contain certain classes of local records applicable to the particular district.

3731*. For instance, all state documents, and that class of records?—All state documents ought to be in that general repository.

3732*. Are the records of the courts of law kept there?—All the records of the supreme courts of law, the ancient records of Parliament, and of the Privy Council, and of committees or commissions emanating from Parliament, are there or ought to be there; and the various classes of records belonging to private rights, particularly the records of the supreme, civil and criminal courts, are deposited there, and certain records of private rights are deposited there.

3733*. What is the character of the building; is it a proper building for the purpose?—On the whole, it is: it is exceedingly well calculated to contain a great many records; it is divided into many small apartments, nearly fire-proof; and though there is a considerable mass of records in the central part of the building not fire-proof, yet the hazard is so remote that very little fear is entertained about them. It is a general saloon for the whole edifice, and contains many offices besides; there are 50 or 60 offices of different kinds contained in the building.

3734*. Offices connected with the records?—Connected with the courts of law; all the clerks of the court of session, the clerks of criminal courts, the keepers of the great seal, the privy seal and the signet, the register of seisins, and various other classes.

3735*. When was the building commenced?—It was commenced, I dare say, 70 years ago, but it remained in an unfinished state for 20 years, and the building was brought into actual use in 1789 or 1790; I think so. There are reports to Parliament in which all these details are given, particularly in the general report of a Select Committee in 1800, and printed, which contains every information that could be desired as to the work done.

3736*. Is the expense of the building stated there?—Yes, as it then existed; but since then a large addition has been made to it.

3737*. Can you tell the Committee, in round numbers, what the expense of the completion of the building has been?—The original expense, as stated in the report, amounted to 37,000 *l.* and upwards. There were some small sums given for completing particular parts of it, but ultimately, in consequence of the great want of accommodation, an arrangement was made, and sanctioned by Parliament, by which certain fees received in the office, under the Act of 57 Geo. 3, payable into the Exchequer, were devoted to the completion of the building as originally planned; under two Acts, the power of retaining those fees was given to the lord clerk registrar, and a certain number of commissioners, the heads of the courts, to retain those fees till they amounted to 50,000 *l.* to complete the building.

3738*. Do you mean that 87,000 *l.* has been expended on the building?—Not so much; because those fees came in in very small sums, 2,000 *l.* a year, or something less or something more; and as the completion of the building was a matter of great urgency, arrangements were made for borrowing money upon the faith of those Acts of Parliament, upon which interest has been running, and not more than 40,000 *l.* has been expended upon these additional buildings.

3739*. I wanted in round numbers the total cost of the building in its present state?—In round numbers, a little exceeding the actual amount; about 80,000 *l.*

3740*. In what state of arrangement are the records there?—I think they are in a state of perfect accessibility; they are arranged systematically; and different parts of the building are appropriated to different records, and many of them are very numerous.

3741*. Are the rooms in which they are contained light and commodious?—Perfectly so.

3742*. Are the documents arranged according to their classes?—Yes; and according to their chronology.

3743*. Are they so arranged as that the arrangement itself points out pretty nearly where a document is to be found?—I should think most certainly; they are resorted to every day, and those that have the custody of them can produce any document upon the shortest possible notice.

3744*. Are there good calendars or indexes to them?—To some of them there are, to others not. The formation of calendars at an earlier period was very much neglected; of later years, since I have had the honour of residing there, I may say greater care has been taken in the formation of the calendars, with a view to make their accessibility as complete as their nature admits of.

3745*. The arrangement itself supplies, in the first instance, to a certain degree, an index?—The arrangement is in 30 or 32 apartments, and the same class of records may occupy three or four apartments; one of the greatest records we have is carried back as far as the reign of Queen Mary, which consists of very long series of volumes: all those are placed together in one large gallery;

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gallery; the documents themselves are arranged in a suite of small apartments, five or six in number, in perfect order.

3746*. For legal purposes, do the calendars that exist afford sufficient information?—I think pretty nearly so.

3747*. Are the names of the grantors of estates given?—With respect to those where there are grantors and grantees, I think the indexes and calendars are, not absolutely but reasonably, complete; in more recent times, I should think they are quite complete; for example, the records of the great seal in Scotland, the renewal of grants from the Crown of land rights, must necessarily be frequently referred to for the transmission of property to father and son; all those are accessible in the easiest and shortest way.

3748*. Have you an index of names?—Yes.

3749*. Have you an index of the properties?—No, not of that particular record, nor indeed almost of any of them. It has been my duty to commence the formation of indexes of that sort, and a good deal has been done; and particularly with regard to the great records and deeds I have mentioned, a regular system of indexing has been commenced which gives the names of the parties grantor and grantee, and the general nature and character of the instrument.

3750*. Out of what fund has the expense of making those indexes been paid?—This particular index I have just been speaking of, the register of deeds, has been defrayed latterly entirely by the keeper of the records, of whose salary there was a parliamentary adjustment about 10 or 15 years ago, and in the adjustment then made, besides curtailing what had been the previous expenses, there was imposed upon him the duty of forming indexes. Prior to that there had been no general arrangement of that sort, and in order to bring up the indexes to that period, I recollect the Record Commission of that day made a small grant. The documents are at home, but it was the subject of a good deal of discussion.

3751*. Since the existence of the present commission have you received any pecuniary aid from it to assist you in the formation of indexes?—Since the commission that now exists no grant has been made, except a grant to discharge a debt existing at the time of their appointment, which consisted of a considerable sum for index-making, and a very great work that had been in progress for the last 15 years, the Registry of Seisins.

3752*. The work of indexing has been going on since the year 1831, as well as before?—That particular work of indexing. In June 1831 the commissioners intimated to me to suspend proceedings upon that index, the Register of Seisins, till further orders. I have explained to the commissioners why I felt myself warranted, and in some degree compelled, on my own authority and at my own risk, to continue the formation of that index and abridgment, and it has been continued nearly to the present time. At the date of its suspension there was a considerable advance made in this work on my own authority, with the consent of the lord registrar, and at a considerable expense, which was sanctioned by the late commission, and carried on down to the date of the present commission.

3753*. Sir *Robert H. Inglis.*] Is there any index in England analogous to the index of seisins in Scotland?—Excepting your two register counties, Middlesex and Yorkshire, there is not.

3754*. You do not know whether there be any other in England?—I am perfectly ignorant of any other.

3755*. *Chairman.*] Have you formed calendars of the records of seisins?—I began an abridgment in a particular form as far back as 1781, which was deemed sufficient, as comprehending the period within which every search of that kind is usually limited.

3756*. Have you completed it?—It is in manuscript, completed down to 1830, and considerably more advanced for the succeeding years. In consequence of the undertaking having become rather oppressive upon myself individually, and the arrangement being completed by the present commissioners or the Government, I have abstained from finishing it, and it is the subject of a pretty long report I have made to the commissioners, and an additional report I have been preparing at home. I have brought with me a specimen of the work, and shall be very well pleased to exhibit it. This record of seisins was established as far back as the beginning of the 17th century. It was considered necessary at that time for the accommodation of the country to have separate

separate records in 19 or 20 different districts, comprehending entire counties or parts of counties; but besides that, it became competent to the parties to record all their instruments in the general register, to be kept as part of the records of the Court of Session; but all of them were made transmissible to the registry under the care of the lord registrar; that is done by a process called marking. All the volumes are prepared and docqueted in a particular way by the lord clerk registrar or one of his deputies; formerly there was a deputy always expressly appointed for that special purpose, but since the appointment of the deputy clerk registrar, it has been his duty to examine those books and subscribe them before they are sent into the country to the different keepers. When a book is filled up they must be reported to the lord clerk registrar, or in other words, transmitted into his office; those volumes in that way are ultimately collected into the general repository, and it is there chiefly they are the subject of investigation and research by all those who have any transactions connected with them.

3757*. Those are registers of all transactions connected with landed property?—No instrument of any transaction, no deed affecting real property in Scotland is effectual against third parties without being recorded in this register in a limited time. When these registries were first established the number of transactions in Scotland was very small comparatively, and the want of regular indexes or other modes of facilitating searches did not appear to be severely felt; but, however, before my connexion with the records of Scotland, it became a very serious grievance, as the search must go back for 40 years, and making a search for 40 years was very laborious and expensive. At the present day a search upon that plan embraces of the present records about 1,400 volumes, and of particular records varying from 50 to 100, or 500, or 600; now as every deed may be recorded in the one or the other, it is necessary to examine them both.

3758*. Is the registering all transactions relating to landed property in Scotland alternatively at the option of the parties in the district Record Office or in the Register Record Office in Edinburgh?—Yes; my own belief is that in the original construction of the Act the principle was this, that where the property was entirely situated in one of the 20 districts, that the registration should be in that district; but as individual estates often extend over the different counties, it was thought convenient to have a general register in which the whole might become recorded; however, in practice it has become general to record there those that apply to one district, and where the district is small, for example, some of the small counties in the north of Scotland, and where the search for 40 years would not extend over more than 20 volumes, you must still go to the general register to extend your search over 1,200 or 1,500 volumes. To meet that difficulty various plans were suggested; but at last the one I adopted was to throw the whole, both general and particular, into local arrangement, and to arrange each particular class in exact chronological order, blending the two together by proper references to the record, either general or particular, and thus stating all the particulars necessary to be known in the investigations, and directing to the particular record wherever it was desired, and facilitating the process by a set of alphabetical indexes of the persons and places mentioned in the abridgment; the result of which I hope to be this, that what occupied a fortnight, or three weeks, or a month, will be accomplished in the course of half an hour, or a very short period indeed; that work was began by me in 1821 or 1822; it was taken up by the late Record Commission in 1824; from that period down to its dissolution they continued to furnish the funds to complete it.

3759*. Do you mean that down to the dissolution of the late commission they furnished the funds?—From 1824 annually, down to 1830, the whole of the expense was defrayed by that board.

3760*. To what amount?—It amounted to rather more than 800 *l.*, or 900 *l.*, or 1,100 *l.* a year.

3761*. For six years?—Yes.

3762*. Sir *Robert Inglis.*] A portion of the expense incurred having been since defrayed by the existing commission?—That portion of the expense that had been incurred for one year, up to 1st April 1831, was defrayed by the present commission, and there is an additional three months, or a quarter, which went on before that order of suspension was issued. The purpose of

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those abridgments and indexes was to facilitate the searches in the office, and there was never any design to publish them as a work, generally, throughout the country; but it occurred to me the business of examining those abridgments would be immensely facilitated by having a few copies printed for that particular purpose. If that had not been done, I saw the necessity of making five or six copies of this voluminous work, and I thought the additional expense of printing would not be so great as to counterpoise the benefit.

3763*. How many copies did you print?—Twenty-four.

3764*. For what purpose?–For those who came to the office to consult the records.

3765*. Why was it necessary for one office to have more than one copy?—Because in the office there are 10 or 11 persons making searches. It is the source of a very large revenue to the Exchequer. I have seen 20 or 25 persons at work. At present they are employed under the old-fashioned way; no part of it is put into actual use; there are 20 or 25 persons making searches under the present imperfect mode; it was intended to place these copies in their reach, and that they should be put into print to save the greater expense of making several copies of so very extensive a work, the accuracy of which could not be so well secured without. I have stated that up to the 1st of April 1831, from 1824 to 1831, the late Record Commissioners paid the entire expense of that work.

3766*. What has been done by the present Record Commission besides paying part of the debt incurred before it came into existence for this work?—In the month of June or July 1831, within three months after the date I have last mentioned, they issued an order to suspend further proceeding till further order, and they withdrew their support from the work; but as I had not begun it, neither did I feel myself bound to discontinue it, on my own authority, nor did I. There were 12 persons employed upon it at small salaries, whom I educated for the work, and to throw them loose at once, I could not contemplate it, and consequently they were continued, on the understanding that I was the person solely responsible to indemnify them, and in consequence of my own dilatory proceeding in not applying more speedily to the commissioners, I have enjoyed the happiness of entire responsibility for that work.

3767*. Whatever expense has been incurred by you has been upon your own responsibility?—Yes; by me solely.

3768*. Do you not expect that the Record Commission will defray the expenses?—The Record Commission were kind enough to receive my statements last Saturday se'ennight upon the subject, and though they stated that their present funds did not enable them to defray the expense, they would aid me in an application to the Government for that purpose, and with that view I was directed to state, in the form of a letter, to The Speaker, a more abridged view of the nature and utility of that plan.

3769*. Do you mean from June 1831 to this moment you have acquiesced in that order for the suspension of the work, and you have now only again applied to the Record Commission to adopt a new course of proceeding upon the subject?—Yes, exactly; owing to my own dilatory proceeding in not making the application, I may be subjected to a risk, I know, that no wise person would have undertaken, but such is the fact of the work itself. Under the Act that enables the great law officers in Scotland to modify and regulate the fees of officers, they have stated the fees that would become chargeable upon the index, when brought into use, and I have no doubt those alone will very soon meet the expense of the Exchequer.

3770*. Do you mean to say that the nature of this work is such that any party in Edinburgh wishing to obtain information respecting transactions relating to any landed property in any part of the country, since 1781, can, by going to the Register Office, consult a printed volume, in which he will find the information, or a clue to the information, wanted?—When completed that would be the result; it is printed only for 25 years.

3771*. Would it not have been of utility to the public, while you were printing this number of copies for the office, to have printed a larger number for general use in the country?—I think very much the reverse; I have heard other opinions expressed; but I believe nothing more unfortunate or odious could be proposed by me than to throw all the transactions relating to land in Scotland open to every idle person. Any person who has any right to know it may do so by applying, but to lay upon the table of every club-house the

transactions

transactions of every landed proprietor or merchant in Scotland, would be a positive nuisance. It is not a matter in which persons now alive are concerned to exhibit in open day all the minute details of transactions of every landed gentleman in Scotland. In the first place, as to its utility, I am not prepared to say there is any in the matter, and as to its wounding the feelings of everybody, there can be no doubt at all; but those who have interest in searching into these matters have facilities, and will have greater facilities hereafter. Any man who requires to purchase land, or wishes to lend money upon heritable security, his means of information are tardy, but under the system I am supposing, it will be easy indeed.

3772*. Sir *Robert Inglis.*] The single object of printing the index has been to save the trouble of transcription?—Yes, and the still greater risk of error in transcribing.

3773*. *Chairman.*] To save the trouble and expense of 20 copies?—Yes; we must have multiplied copies to a considerable extent.

3774*. By these means, any person interested in the information can obtain it in half an hour?—Yes.

3775*. Sir *Robert Inglis.*] When the work is completed?—Yes.

3776*. Can the work ever, in one sense, be completed, inasmuch as the correspondent proceedings, in relation to which the work of 40 years is an index, are going on?—The main object is to make it complete up to the period that this is transmitted to the depository. There was a plan devised by myself in 1812, sanctioned by the Court of Session, by which the keepers of the records of seisins, as well as some other keepers, were required to make indexes to their volumes, as they went on, and some of them, I believe, have done so, but they are of no utility whatever, for each volume of those records must be transmitted before a new one is sent, which comes back with a chronological table of the names of the parties, and the heads of the transaction, and each volume contains such a small number, not more than 30 or 40, separate indexes to those would be of very little use; and they would be framed with such various degrees of accuracy, that they would not facilitate it at all.

3777*. *Chairman.*] You say you have brought the calendar down to the year 1830?—Yes, it is complete down to that period.

3778*. You are continuing it down to the present period?—Yes; there are a few persons employed upon it.

3779*. How soon do you think you can complete it?—We can bring it down in manuscript in a very few months, with the present assistance.

3780*. When you have once brought it down to the present period, at what rate do you mean it to keep pace with the future transactions of the country?—The first series of the abridgment and the indexes are for the whole period of 40 years, from 1781 to 1820, but the multiplication of the records since that time has suggested to me the propriety and convenience of having a decennial statement and abridgment, the fact being that from 1821 to 1830, the number of instruments that have been abridged is, I think, about half of that for the previous 40 years, so that the number has more than doubled during that period.

3781*. You having published your work and printed it up to 1830, you would not propose to print any further portion of it till the year 1840, when you would print up to that period?—Yes; you might have shorter periods even than that.

3782*. But in the meantime, you would have the materials prepared year by year, so as to supply you with information up to the period at which you happen to want it?—Yes; and they might be made accessible even in that state as they are prepared in the office; but the labour of searching for a few years would be comparatively small, and it is impossible to overtake it to the very last moment. Accordingly when any search of this kind is required, take the county of Ayr, or one of the small counties of which the return of a complete volume is comparatively slow, the volume may not be completed for several years, and any transactions relating to property in that district, cannot be completed without sending into the district. That is an inconvenience in the nature of the work as it now exists.

3783*. What process has a man to go through at present (supposing your calendar not to be complete and not in use) who wants information from a document

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cument in the Record Office?—About the year 1692, the keepers of this register and some others were required to make what are called regular minutes of every transaction. In the registers of seisin it was required that the keeper, the moment the instrument was presented for registration, should mark the day and the hour it was presented, and the name of the party in whose favour it was received, and that was to fix the priority of the instrument in relation to any other produced at a later period though of an earlier date. Those books have been more or less complete since that time. In many of the districts they are too bulky; in addition to giving the name of the parties and the lands, they enter into a great deal of detail. Those minute-books are at present the only facilities afforded for guiding and limiting the nature of the search; the instrument is engrossed and returned to the party.

3784*. Do those minute-books serve the purposes of a calendar?—They are there to serve the purpose of a calendar.

3785*. If a party wishes information, suppose it to be contained in a document in the Record Office, to whom does he apply?—To the keeper of the records, who is one of the deputies of the lord registrar.

3786*. Does he pay any fee for the inspection of the document?—Yes; he pays a fee for the inspection of the minute-book, and a further fee for the inspection of the document to which the minute relates. All those fees go into a general fund; all those keepers being paid by salary, none receiving a fee of any kind.

3787*. Those fees form a fund which is devoted to the purposes of the records themselves in part?—By the Act, after retaining certain limited salaries to three different keepers, the two deputy keepers, and an assistant deputy keeper, the remainder all goes into the Exchequer; that is the permanent law of the case; but I alluded some time ago to the necessity that occurred of adding to the building of the Register Office, and it occurred, as it appeared to the advisers upon this subject at that time, that the lord clerk registrar's salary was in abeyance, he having received no salary. By the 57 Geo. 3, it is limited to 1,200 *l.* Of course there arose, after deducting those small salaries to the deputy and the keeper, a considerable sum payable into the Exchequer; and with a view to complete the building a grant was made of 30,000 *l.*, and 20,000 *l.* more, to be paid out of those fees, to be applicable to the completion of the building, and when that is completed, the surplus fees are paid into the Exchequer, the amount of which hereafter it is impossible to say; they embrace not only the salary of the lord clerk registrar, but those that arise from the Signet Office.

3788*. Would the fees taken at the Register Office for the inspection of records form a sufficient fund for keeping the records in a proper state, and paying the salaries of the officers?—I should think quite sufficient.

3789*. And doing all the work necessary?—I mean all the work necessary for indexing, because having brought up the registers of seisins, the surplus arising after paying the salary to the lord clerk registrar of 1,200 *l.* a-year would be competent to keep it up.

3790*. Sir *George Clerk.*] That 1,200 *l.* goes to pay off the debt upon the building generally?—Yes, it just falls into the general mass, what remains after paying the three limited salaries and what is payable to those commissioners for completing the building.

3791*. *Chairman.*] When the expenses of the calendars, that ought to have been made long before this time, and other expenses incurred in a similar way, for business which ought to have been done before, or has been done before, such as building and other matters of that kind; when those expenses shall have been defrayed, you think that the fees of the Record Office in Scotland will suffice to pay the annual expenses of the office?—Not the whole annual expense of the office, nor anything like it, if you mean the whole of the expense of maintaining the building and servants, the fires, and things of that kind; but for carrying on the particular business of index-making, it would go a great way. But I am bound to state, as my humble opinion, that when our present liabilities for this building are completed, I have contemplated the diminishing the rate of fees, so as to make the records more accessible than at present.

3792*. Sir *George Clerk.*] Would there be a sufficient fund if the lord clerk registrar was to withdraw his salary?—There would remain, after the salary, at the

the diminished rate fixed by the commissioners, a fund averaging not more than 800 *l.* a year, over and above. At one time, under the former rates of fees, which have been considerably diminished latterly, it would have amounted to about 1,200 *l.*

3793*. Sir *Matthew Ridley.*] Do you mean there would be a surplus fund of 800 *l.* under the reduced rate of fees you contemplate?—There is generally a surplus at this moment, ranging from 1,800 *l.* to 2,200 *l.*

3794*. *Chairman.*] A surplus after what?—After defraying the salaries of the keeper and deputy keepers, amounting to 1,520 *l.*

3795*. There remains a surplus of how much?—It has varied considerably; it has not been more than 1,800 *l.* for the last year. I have known 2,500 *l.*, in addition to 1,550 *l.*

3796*. You would propose to reduce that by reducing the fees?—I have always thought that a preferable object. The proposed reduction of fees might sweep away the whole surplus; but that is a matter for future arrangement. Under the Act the commissioners have it still in their power, and have already made one reduction, which has been reported to Parliament; and they have it in their power to make a further reduction: whether they would think it the most eligible, I do not know.

3797*. You think the fees ought to be reduced to the lowest possible amount, and that the fees of this office, of great utility, ought to be borne by the country?—I have certainly advocated that view from my earliest knowledge of these matters; and it will be seen from my reports, that I suggested that the fees should be reduced to the lowest possible amount requisite, to prevent useless and vexatious applications; and the general principle I took the liberty of suggesting upon this subject was, that an establishment like the Record Office of Scotland is one of general utility, and every man having landed property, or indeed any other rights, had a great interest to maintain it: and it appeared to me hard that those driven to the office by misfortune, and obliged to pay fees, should defray the whole of the expense of the establishment. That is a very theoretical view of the matter.

3798*. Sir *Robert Inglis.*] Then you think that those whose happier fate excludes them from litigation ought to bear a part of the expense of carrying on the law proceedings of litigants?—I should say that the same principle would be applicable to our courts of justice, where the expense of clerks is defrayed by persons who are driven or dragged into the courts, and where the happier persons exempt from that are relieved from that expense.

3799*. What limit would you put to the aid to be given by the nation in conducting the private affairs of suitors?—Merely that of paying the clerks in court, and the clerks who are employed in keeping the records.

3800*. *Chairman.*] You think the administration of justice, and among other parts, that of keeping the records of the country, being matters of public concern, interesting as much to those who do not happen to be litigants as to those who have that misfortune, that those expenses should, as far as possible, be defrayed by the public, who have the general benefit of the administration of justice?—Yes, that is the general doctrine I stated; all those expenses of a national kind to maintain the machinery of justice.

3801*. Sir *Robert H. Inglis.*] Can you make any distinction between the fees for searches and fees to counsel?—I should think the practical distinction is pretty broad.

3802*. Upon principle can you make any distinction between facilitating the progress of a suit when it gets into court, and facilitating the progress of the same suit before it gets into court?—In every civilized country it has been deemed necessary to establish courts of justice and repositories for the records of those courts; and it is to that expense alone I would propose applying this general principle. I am not at all advocating or defending the principle; I am stating the principle I proposed; and it did not meet with much encouragement from the learned persons to whom it was proposed.

3803*. *Chairman.*] You think that, with advantage to the public, the fees in the Register Office might be greatly reduced?—Upon the general principle of making them more accessible, but at the same time precluding purely idle and vexatious applications.

3804*. Do you think that now they are too high to check idle and vexatious applications?—They are sufficient for that.

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3805*. Are they too high?—Yes, I think they are; I cannot pretend to say. It would require a little more consideration than ever I was called on to give, to define the exact amount.

3806*. But you think that that should be the sole object of appointing fees?—They were originally calculated to remunerate the keepers of the records; that I thought improper. Down to a certain period the lord clerk registrar received a large sum of fees, and the people employed by him, under the name of deputy keepers of records, received fees; but all those fees have for the last 20 years nearly been consolidated into a general fund: they have been paid by a fixed salary, and they are not allowed to receive any fees of an official kind.

3807*. The only use for which you would keep up the fees would be to prevent vexatious searches?—That would be the perfection of the system.

3808*. You think the fees are too high for that purpose?—Yes, certainly; in some instances a great deal higher.

3809*. Is it necessary in order to perpetuate the records in Scotland to make transcripts of them from time to time?—There are certainly many of them in a very decayed state, and great pains and expense were bestowed by the late commission in putting them into a better condition.

3810*. Has the present commission done anything of that kind?—They have done nothing in Scotland beyond what I have stated; they have paid the debt due on the 1st of April 1831, and they have merely suspended further operations until further orders.

3811*. Then in the way of transcribing, or otherwise aiding in the preservation of the records, the present commission has done nothing?—No, nor do I see that they could do anything; the registers in regular popular use are too large for transcription; but there are one or too small branches I have contemplated, such as the earlier books of seisins, which are difficult to read and in great want of transcription, but they are not now so often resorted to as to make it a very urgent case.

3812*. Have you been engaged in editing or otherwise superintending the printing of any records?—Yes. The first record that the late commission sanctioned the compilation and printing of was of the kind I have now been speaking, calculated to facilitate researches in one of the very ancient records, the register of the Retours of Services. In Scotland, on the death of a person holding an heritable estate, his heir does not obtain at once access to it, without a certain judicial process, called a service, and these services are returned or retoured, as we call it, into the Chancery Office, or the office of the Writer to the Great Seal, and it becomes a very important class of record with respect to the genealogical and other searches; and one time, prior to the late change in the qualification of the voters in counties, the use of returns in ascertaining the amount of qualification of certain parties was extremely important. This was one of the first things that was proposed by me or to me, to accomplish the abridgment of these registers, and it was printed in three folio volumes.

3813*. When was this printed?—I think it was completed about the year 1816.

3814*. What is the title of it?—The Latin title is Inquisitionum ad Capellam Domini Regisretornatarum Abbreviatis.

3815*. Do you know anything of a work entitled Acta Dominorum Auditorum and Acta Dominorum Concilii?—Most intimately. When I was first called on by the Record Commission to take any charge of their proceedings in Scotland, I was directed to examine a volume of the Scottish Parliamentary Proceedings that had been going on, and was nearly completed, in 1804, under the direction of one of the gentlemen keepers of records in the office, a person of considerable merit in his own line. It certainly was my advice, and I believe it was followed, that the volume was not in a state to admit of publication, and accordingly it was ordered that I should prepare a plan for recommencing the work in a somewhat different form, and from different materials. On examining the original proceedings and records of the proceedings of Parliament in the reigns of James 3 & 4, it appeared there was preserved with these the judicial proceedings of certain Committees of Parliament, from 15 to 20 years, that sat during the periods of Parliament for receiving complaints and deciding judicially

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judicially on matters of private right; this appeared to me to form a very bulky and unseemly wen upon the proceedings in full Parliament, which it would be desirable to detach, and accordingly one of the first operations authorized was to separate that particular class of judicial proceedings, and to print them separately, and the Committees of Parliament employed in that function were denominated Domini Auditores ad Querelas in Parliamento. Those were printed accordingly, and constitute a volume of no very great bulk, but which, if it had been printed with the proceedings in full Parliament, would have been a very inconvenient addition to them, and was easily detached. Then, according to the ordinary course of Parliamentary business, the same causes that were discussed in the first instance before these domini auditores were often in the intervals of Parliament resumed by a class of judges, called Domini Concilii, whose proceedings formed a separate series of records altogether; and I observed that the same causes often travelled from the lords auditors of Parliament to the lords of council. I proposed to the commissioners to print so much of the proceedings of that court as were of the same period as the lords auditors, and these are the Acta Dominorum Concilii to which you have referred. The printing of this was substantially completed a good many years ago. At a subsequent period, in arranging the records in the office, there was discovered, I may say by myself, a volume that had been misplaced in a different series of records by a whole century; instead of being ticketed 1478, it was 1578; it had been overlooked; and that led me to propose, which the commissioners authorized, to insert additional leaves in the further work which was done at a later period.

3816*. Is it completed?—Yes; it has been completed many years. Then it was judged expedient to prepare indexes of persons, places and matters to those works, and a very able man was employed upon it (the late Mr. John Dillon), certainly one of the most laborious of the colleagues I have had in that office, and that occasioned a great deal of delay in the publication of those two latter works; the truth is they have lain over unpublished till this day. I have just received the orders of the commissioners to complete what is yet wanting in those works, and, with a short preface, to give them to the public.

3817*. Those works have been unpublished 20 years?—Yes, and the fault certainly has not been mine; the demand for them was not very great, excepting among the most curious lawyers, and it was intended they should come out along with the last volume of the Parliamentary series, of which they are a part.

3818*. Were the Acts of the Scottish Parliament published under your superintendence?—Yes, they were; they were begun to be printed and published in 1801, by one of the keepers in the office, and that one volume had been printed when that gentleman died, in 1804, and it was that volume that was first subjected to my inspection, and upon which I was called to make a report, which I did, and the result was, that it was constructed in so very imperfect a way, and with so very imperfect a view of his duty as a record publisher, that I could not help recommending the adoption of a broader plan, which was adopted accordingly, and I was employed upon it for many years. I have found that the earlier part of the proceedings in Parliament were in a very imperfect state; part of them might be said to be original records; but that in order to make them complete, it would be indispensably necessary to resort to secondary means of ancient manuscripts, authentic in their appearance, but of which the originals were lost; and a good deal of time was lost in that way, but a great many interesting discoveries have been made upon it; but while I was employed upon that I was required to go on from that point at which the record was complete, and we began to print the proceedings of Parliament from 1424 to 1707. That work is contained in 10 pretty large folio volumes.

3819*. And the work is now completed?—It was complete so far as the means of completing it were known at the date of the 11th and last volume.

3820*. Was the first volume published?—It was in a state of preparation by me, and partly printed; a part remains to be printed, upon which I have received the authority of the Commissioners to proceed with it immediately. But I ought here to add, that during the reign of Charles the First, the Parliaments that met passed a great variety of Acts and proceedings from the year 1640 down to 1651; all those proceedings were rescinded at the Restoration in 1660, and the original records of these Parliaments were not known to exist;

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it was however deemed expedient, out of the materials we had in the office that were authentic, to compile as much of those proceedings of which any authentic evidence could be obtained, and accordingly nearly the whole of two volumes of these 10 are occupied by those proceedings. At a later period, after the State Papers were removed from Scotland Yard to Great George Street, happening to make some investigation in that office, I had the good fortune to discover the original volumes of those proceedings, that were perfectly unknown before, and consisting of four massy volumes; and those, upon an application to the Secretary of State, were transferred to Edinburgh immediately. Upon examining them, it appears that they contain a very large collection of proceedings, of which no other records exist, and they have been transcribed with a view to withdraw those two volumes, and to replace them with three or four volumes containing the whole proceedings of those Parliaments, and which, historically speaking, are extremely curious and important. That part of the work has not been further proceeded in than to make a complete transcription of them, and which requires a great deal of care to make them complete, and that work is in that state, it will not be completed for the next 12 or 15 months.

3821*. There is another work which is under your care, the Abridgment of the Register of the Great Seal?—Yes.

3822*. When was that begun?—That work was begun a great many years ago.

3823*. In June 1824?—Long before; one of my earliest recommendations; and if I might venture to suggest, it might not be amiss if those reports of mine were before the Committee, to understand the progress of these works; but it was one of the very first things proposed by me; it had been suggested to the original Select Committee in 1800; but I certainly did propose two different works upon the Royal Charters of Scotland; the one a collection of the more ancient and more important charters, which I thought calculated to throw prodigious light, not only upon the law of Scotland, but the history of the country; the other is an abridgment of the register of the Great Seal down to a very recent period. That work was partly begun, and in fact worked upon by myself individually for a certain time, in order to fix upon my own mind the most perfect way in which to try it; it was difficult to find a person qualified to carry it into execution; and after a good deal of delay a particular gentleman was authorized to take charge of it, under me, with such assistance as I could give him, and in fact two gentlemen were employed for a good many years, to bring that work down to the period at which I proposed it should stop. That work, of course, fell under the order of suspension of the Record Board in 1831, but one of the gentlemen, Mr. Pitcairn, who was the principal person under me in the compilation of it, though made aware of the order, yet, by a little encouragement from me, certainly, he did go on continuing the work till a recent period. At last he made his appeal to the present commission, as he was not a person I thought myself bound to indemnify from year to year, as I did the others, and he applied to the present commissioners, and they recognised his claim to remuneration. The salary was 200 *l.* a year, and after he had worked three years and a half he made his claim, and they admitted it.

3824*. Is that work going on now?—No.

3825*. When was it discontinued?—Since the application of Mr. Pitcairn to the Record Commissioners, about 15 months ago.

3826*. Sir *Robert Inglis.*] Was it about that time that the then commissioners learned for the first time that the work was in progress?—Yes; I certainly must admit an abundant degree of blame on my part; it was one of those works which required no authority from them to complete, and the only effect of their order was to withdraw their support from me in the work.

3827*. Nothing has been done in the way of printing by the present commission in Scotland?—Nothing whatever during the existence of the present commission down to the 1st July 1831, the registers of seisins were in progress, and a certain number of sheets were printed off during that period. With that exception, nothing has been printed since the commencement of the present commission. No part of the Abridgment of the Register of the Great Seal has been printed, except a small specimen, of which a few copies were thrown off.

3828*. Have

3828*. Have you any further information to give the Committee respecting the state of the records in Scotland, or the proceedings of the Record Commission in that country?—I am most willing to make my information as complete as it is possible. I did not come here with any notice of what the particular subjects of the examination were likely to be, and therefore came much more unprepared than it is desirable for the objects of the Committee I should have been. It has been part of my duty as deputy clerk registrar to make annual reports to the lord registrar of the state of the records, and in the earlier part of my duty I had occasion to go very fully into the state of the records; and there are two volumes printed that contain more ample information upon that subject than is to be found anywhere else. They also contain a very full account of the proceedings of the commission down to the latest time; and I was desired to make a quarterly report of the proceedings in the Register Office, whether at their expense or defrayed out of any other source, and those reports have been printed.

3829*. Have you any suggestions to make respecting the present plan of proceeding of the Record Commission?—In so far as I am individually concerned, I have not executed any operations under their sanction or with their approbation. I have continued some of the works in progress during the former commission, and various other works have been going on with which they have no concern whatever, and which fell under my own jurisdiction and control; but there are other objects which I think could not be accomplished without the aid of other funds.

3830*. Are there any objects upon which you think the aid of that commission is necessary at the present moment?—In so far as the accomplishment of that Abridgment of the Register of the Great Seal is concerned, I think it is certainly wanting; for the completion of the Register of Seisins, it is certainly wanting; for the completion of the collection of Ancient Charters, in which a great deal has been done, a great deal of support is wanting. So also for the completion of the Parliamentary volumes, and those volumes that must be substituted for the former volumes and general indexes of the whole work. Those are all important works, and without aid we cannot complete them. There are various other details of index-making, which I think are desirable, but with such means as I possess I have been endeavouring to remedy.

3831*. Do you think that the Record Commission, as at present constituted is competent to superintend the operations carried on in Scotland?—Upon that subject I conceive the constitution of the Record Commission to be this, that being composed of persons of great influence and intelligence, any one appointed under them must be presumed to have some skill and competency for the practical operations, and it is the duty of those appointed by them to make out statements of what is desirable, and to judge of the propriety and practicability of the plans that those subordinate persons may imagine or think proper to suggest. Under the former Record Commission some of the suggestions came from the commission itself, and not directly from me; others were suggested by me, and some of them were adopted and others not. To the propriety and anxious zeal with which that duty was performed by the late commission I am bound to bear the strongest testimony.

3832*. Do you think that a board sitting in London and composed of such large numbers as the present commission is, and of persons mostly having other official business, is competent to exercise a sufficiently vigilant superintendence over the operations carried on in Scotland?—It would be very presumptuous in me to make any very dogmatical answer to that question. There are two branches into which I think the duties of a Record Commission might be discriminated, and to which some persons might be more likely competent: I mean the more ordinary and vulgar department of arranging records and making them accessible by indexes or calendars, or whatever other name you may please to give them: one class of gentlemen may be competent to that duty; others may be competent to the higher and more difficult branch of deciding, with a view to public curiosity and public utility, what is desirable to be given to the world as historical or antiquarian matter, or illustrative of the constitutional history of the country, which was a primary object that the late commission had in view in authorizing any works of which I was cognizant.

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3833*. You think in the constitution of the commission those two objects ought to be kept separate; do you think it would have been advisable to have had them entrusted to two different bodies?—Why I rather think, if I may be allowed to speak upon a subject upon which I am not very competent, I see no disadvantage in there being but one board of commissioners, and to their being persons connected by their influence with the existing Government in the country, without whose support our operations would be very much crippled indeed. I should think it very convenient, and tend to remove some objections perhaps, if there were two different branches, and a certain portion of the fund should be appropriated to one class of objects, and another portion to another. Upon that I can only speak in a very general way.

3834*. Mr. *Pusey.*] It appears to be your opinion that different qualifications are required for the due execution of those two branches?—I think that different tastes will be possessed by two individuals. I can conceive that some of the persons who feel the greatest interest in antiquarian and historical inquiries might not be so conversant or so competent to judge of what is necessary in the judicial arrangement of the records in this country or in Scotland, or of the particular means necessary to accomplish the object of making them more accessible than at present. But really, as I apprehend, a board of commissioners of the kind that has existed, as far as I can judge of its composition, seems to me to be extremely well competent to discover, if individuals are to be discovered anywhere, who are the individuals to take the charge of one class of proceedings or another. I believe it has never been supposed that the individuals I have alluded to were to become operative performers in a business of this sort; but with the high intelligence and education that must be presumed to be possessed by such commissioners, I do not think there can be any difficulty in discriminating the peculiar qualifications necessary for both classes.

3835*. But for working commissioners, you would say a different set of qualifications would be required?—Most evidently; I can see no two qualifications admiting of more marked distinction, and I have acted upon that conviction and belief in all I have done; that I have employed certain persons to conduct the vulgar or technical operations of the office in making the Register of Seisins, persons I consider perfectly incompetent to the higher branches of deciphering the more ancient records, or discriminating what is good or what is bad, or superintending the publication of them.

3836*. *Chairman.*] Have you collected into your custody, in the General Register Office, records that were existing in private hands and other repositories?—It has been one of my most anxious objects from the first to endeavour to discover any clue to the public records lying latent in private custody, and of which I knew there were many, and I have been fortunate enough to discover many important accessions to the records of the country; and where they have been substantial and important, it has been my duty to report the discovery to the Court of Session, who are the great body having the general superintendence of the public records of Scotland, and I have requested their assistance whether they were worthy to be regarded as such. For example, in the year 1793, before my time, there was discovered in the State Paper Office a volume, by far the earliest in date, containing very important proceedings of the Scotch Parliament in the fourteenth century; it was by the application of Lord Frederick Campbell, the lord clerk registrar, an order was obtained to transmit it to Scotland; it was subjected to a committee of inspection of the Court of Session, and they passed an act of sederunt declaring it to be an authentic record. At the time when the discovery was made by myself of four volumes of the reign of Charles the First, about seven years ago, which I immediately reported to the present lord clerk registrar, an application was instantly made to the Secretary of State for authority to transfer them to Edinburgh. An authority of that kind was pronounced; a person was sent here and brought them to Scotland; they were reported to the Court of Session, and they examined them, and they passed an act of sederunt declaring, after a pretty full examination, that they were authentic records of Scotland; and a great many minor discoveries have been made. The first document I referred to was discovered by the late Mr. Astle, and it remained till 1793 without much notice taken of it, till it was suggested by Mr. Astle to Lord Frederick Campbell, and they were applied for to the late King; the latter application was made to Sir Robert Peel, supported by Sir John Hobhouse.

3837*. Have

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3837*. Have you discovered any records in Switzerland?—Yes.

3838*. Where were they discovered?—In the public library at Berne. A good many years ago it was observed in a printed catalogue of the library at Berne that there was a volume described that appeared to contain matters connected both with English and Scottish proceedings. A very accurate history is given at great length of it in my report, but it was ultimately obtained on the representation of the late commission to the Government here. Applications were made to the council of Berne, who authorized the transmission of it to this country, and it is now deposited in the General Register House.

3839*. Would that be received as evidence?—It is the most authentic-looking evidence that could be. I have no idea that it was a public record; it is a private compilation, but it is much more ancient than anything we have. All that relates to Scotland is about six or seven leaves, in a folio form, but it contains a few things quite invaluable to me, as ascertaining the date at which certain things existed. The date of the manuscript is ascertained to have been prior to the demise of Henry the Third; it is anterior to the period of any original record that we have. In the same way, at a later period, I had the good fortune to discover, or had the good fortune to be informed, by a very distinguished historian in Scotland, of the existence of a manuscript existing in one of the Scotch boroughs, containing a code of Scottish law, which I afterwards acquired by purchase, and which was plainly prior to the middle of the fourteenth century, 1330 or 1340, and at the end of the record, appears to have belonged to the guild of the borough. It has been of great use in ascertaining and checking some of the more common manuscripts of which we were in possession in the country before.

Joseph Stevenson, Esq., called in; and Examined.

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3725. *Chairman.*] I BELIEVE you are in the service of the Record Commission?—Yes, I am.

3726. You are a sub-commissioner at present?—Yes.

3727. When were you appointed?—Upon the 6th of April 1836.

3728. When did you first enter the service of the commission?—In July 1834, but my operations did not commence until the middle of August.

3729. How was your engagement made?—It was made with Mr. Cooper.

3730. Verbally, or in writing?—Verbally, in the presence of Mr. Hardy.

3731. Did Mr. Cooper state he had directions from the board to engage you?—I cannot charge my memory with saying that he distinctly told me so, but I concluded that such was the case.

3732. What was the nature of your engagement; for what purposes?—Mr. Cooper told me that it was necessary that certain works should be carried on at the Tower, and I was accordingly directed to commence such operations there; first, to collect materials for the new edition of Rymer's Fœdera, and next to make a calendar of the miscellaneous documents in that office.

3733. Did he state to you, you were to be a sub-commissioner?—I cannot say he did.

3734. Did you understand that the business you were to be employed upon was the business entrusted to the commissioners?—Yes, or I should not have accepted it; I should not have left the situation which I held in the British Museum to accept temporary employment under Mr. Cooper.

3735. What was the nature of your previous engagement at the Museum?—I was employed in the manuscript department, under Mr. Forshall.

3736. Did you understand that you entered into the immediate employment of the board, or that you were in the employment of Mr. Cooper?—Decidedly in the employment of the board; I never entertained any other opinion until a very recent period.

3737. Did you consider you were removable at the pleasure of Mr. Cooper?—Decidedly not.

3738. Did you ever ask Mr. Cooper whether the board had sanctioned the engagement he had made with you?—No; Mr. Cooper told me so.

3739. When?—I should think about five or six weeks afterwards. I cannot speak with any precision upon this point; but I recollect that Mr. Cooper, about

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five or six weeks after I had left the Museum, said he was happy to inform me that the board had sanctioned my appointment.

3740. Did he produce any minute of the board?—No.

3741. When you were appointed a sub-commissioner, how did you receive a notification of it?—In the postscript to a note which Mr. Cooper wrote to me upon some incidental literary matter.

3742. You were appointed by a minute of the board?—I presume I was.

3743. That minute was not communicated to you?—No.

3744. What engagement did you make with Mr. Cooper as to your salary, at the time you were first engaged?—Mr. Cooper had the goodness to mention to me, in the presence of Mr. Hardy, that I should receive at the least 400 *l.* a year. I made no demand as to the extent of my salary; the offer of 400 *l.* a year was perfectly voluntary on Mr. Cooper's part, and was proposed as a minimum.

3745. Was it to be a salary, or on condition of work done?—£.300 were to be received by me as my annual salary, and the other 100*l.* were to be paid for work done out of office hours, with which work Mr. Cooper was to keep me constantly supplied: at the same time he told me he hoped to be able very shortly afterwards to offer a larger, and what he was pleased to call a more adequate remuneration.

3746. What kind of work was to be done for that?—The work I was then employed upon out of office hours, and upon which I am still employed, was the appendix to Mr. Cooper's Report upon the Fœdera. I was given to understand that when that work should be completed, I was to be employed in forming a descriptive catalogue of the bulls which had been transcribed from the papal registers, or on some other work of a similar kind, but nothing definite was spoken of. I understood from the first that I was to be employed chiefly at the Tower, during its regular office hours.

3747. Did you receive that salary of 400*l.* a year?—I did not.

3748. What happened then to prevent it?—On the 23d of October 1834, Mr. Cooper intimated to me, that in consequence of having engaged the services of Mr. Brewer, Mr. Black and myself, he found that he was not able to give me the salary which he had promised, and that he should be placed in an awkward position with the board if I insisted upon that salary; he told me that as his zeal for the Record Commission had induced him to make this expensive addition to the number of the sub-commissioners, I should place him in an unfortunate and disagreeable predicament unless I would consent to accept 250 *l.* as my salary for the first year; and he promised me that when the time for the settlement of my annual accounts should arrive, he would, if he had it in his power, pay me my promised salary of 300*l.* To this arrangement I agreed, although in consequence of the first offer having been made in the presence of Mr. Hardy, I might fairly, if I had pleased, have brought the matter before the consideration of the board.

3749. Did you receive the 250*l.* for the year?—Yes.

3750. Did you receive 100 *l.* for extra work?—No, not quite that sum. I was paid by the sheet, and the work produced by me not amounting to 100 *l.* I was not authorized to make a demand to that amount.

3751. That year you received 50 *l.* less than you had agreed for?—Yes.

3752. The next year did you get that salary?—The year has not expired; when the period for discussing my arrangements for a second year arrived, Mr. Cooper told me that he could not offer me more than my former salary of 250*l.* When I remonstrated with him upon the injustice of such a proposal, and reminded him of his original promise voluntarily made in the presence of Mr. Hardy, and then proposed as a minimum which should be speedily extended, he certainly told me that I was perfectly at liberty to avail myself of the former contract, but that in so doing I immediately forfeited all employment of extra hours, and consequently that I should be no gainer.

3753. That is, he would break his engagement by which he undertook to supply you with work to the amount of 100*l.* a year more?—I can give it no other interpretation.

3754. Did you understand that this was from necessity, this breach of contract with you?—I found myself in a dilemma; in the first place it was difficult

to

to imagine that Mr. Cooper had taken such a step without the knowledge of the board, and it was still more difficult to suppose that the board should authorize him to make such a proposal to me.

3755. What did you understand was his reason for failing in his engagement?—He gave me no satisfactory reason. I had previously understood that by having engaged the services of Mr. Brewer, Mr. Black and myself, he had incurred a greater expense than the funds of the commission were able to meet; and as these gentlemen still remained in the service of the board, I concluded there necessarily existed a corresponding want of money.

3756. Was yours the only case of this kind, or have you any reason to suppose that other persons in the employment of the board have experienced a similar diminution of their salaries?—When Mr. Cooper urged me to accept a lower salary, he told me that similar diminutions had been made in the salaries of other gentlemen in the service of the commission; that Sir Francis Palgrave had consented to receive less, that the Rev. Mr. Hunter received less, and that Sir Harris Nicolas received less: upon hearing that such deductions had been made in the salaries of others, it immediately occurred to me that I should appear very mercenary and avaricious and unjust, were I the only individual to persist in a demand to meet which the funds of the commission were inadequate, and in consequence I immediately stated to Mr. Cooper that my objections were removed; and I afterwards wrote to him, declaring that I was willing to accept 250*l.* for my second year's salary.

3757. Mr. *Hawes.*] Still under the idea that that arrangement was only temporary?—Yes; and that at the end of my second year's engagement I should receive, if the funds of the board would permit it, my original salary of 300 *l.*

3758. *Chairman.*] Have you learned that Sir Francis Palgrave has experienced any diminution of salary?—I have no opportunity of knowing what the salary of Sir Francis Palgrave or Sir Harris Nicolas may be; but if I may be permitted to refer to what I heard in this room a few days ago, I understand that the Rev. Mr. Hunter's salary has been increased from 300*l.* to 450*l.*

3759. Sir *Matthew Ridley.*] When you consented to receive for the second year 250 *l.* salary, did you calculate upon having the promise fulfilled of making 100 *l.* a year by extra work?—Yes, I took care to make that a particular proviso; and as Mr. Cooper did not make this arrangement with me in writing, I had no other means of getting it put upon record than by writing a letter to him, in which I stated what my understanding was upon the subject, and at the same time begged him to correct me in any point where I might be in error.

3760. Did you receive any answer from Mr. Cooper upon that subject?—The arrangement which I have just mentioned took place on the 25th August 1835; upon the 30th September I received Mr. Cooper's answer to my letter of the 25th August, in which he told me that my statement was perfectly correct as far as money matters were concerned, but that I must not suppose my salary had any dependence upon arrangements which he might have made or might make with other gentlemen. In reference to this I must add, that the reductions in the salary of Mr. Hunter and Sir F. Palgrave to which I alluded in my letter, were very prominently brought forward by Mr. Cooper in our conversation on the 25th August, and had a considerable influence in inducing me again to accept a salary of 250 *l.*

3761. Has anything further passed between you and Mr. Cooper upon this subject?—Nothing.

3762. Was any stipulation made regarding your salary when you were appointed a sub-commissioner?—No; I believe that appointment has no influence upon my salary; if it has, I have received no intimation to that effect.

3763. With respect to that portion of your work that was not to be considered as extra work, but for which it was stipulated you should receive a salary, in what manner have you been engaged?—I have been engaged constantly at the Tower; my instructions have been modified at different periods. My employment there at first consisted in examining the Miscellaneous documents, for the purpose of selecting from them whatever might seem fitted for insertion in the new edition of the Fœdera. For this purpose I caused transcripts to the extent of two volumes to be made, one consists of 317 pages, the other of 601 pages.

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3764. Of what materials were those?—They consisted of documents of a very miscellaneous character. I cannot easily give a correct generic description.

3765. Mention one or two?—Instructions to ambassadors, treaties, letters, &c. &c. My selections consist of such records or state papers as appeared to be valuable for historical purposes. In fact, the Fœdera is such a very miscellaneous collection, that almost any document, public or private, ecclesiastical or secular, may come within its scope.

3766. Upon what were you employed then?—I was then employed chiefly in forming a catalogue or calendar of the Miscellaneous documents in the Tower; and at the same time, or very shortly afterwards, I received instructions to transcribe such documents as seemed curious and worthy of publication, in a separate and complete form.

3767. Do those Miscellaneous documents include instructions to ambassadors and foreign letters?—Yes; from these Miscellaneous documents I had previously transcribed the matter which forms a considerable part of the two volumes of which I have recently spoken.

3768. Of those you were to make a catalogue?—Yes; with instructions to transcribe those articles which appeared to me to be the most valuable; these were to be printed entire.

3769. Did you ever express to Mr. Cooper any opinion of the value of these documents?—I more than once mentioned to Mr. Cooper that in my opinion the bulk of these documents commonly styled "Miscellaneous" ought not to be considered as Miscellaneous, since certain distinct classes of considerable magnitude were included under that denomination; that moreover a very large proportion of them was of comparatively inconsiderable value, and that the whole of the really valuable Miscellaneous documents, speaking in the correct sense in which that term should be applied, might be printed entire at no very great cost to the country.

3770. That would be going to the extent of saying that the catalogue would be useless?—I do not go to that extent; but I stated to Mr. Cooper that I thought the funds of the commission and my own time might be expended to better advantage if I were employed elsewhere, or upon other work.

3771. In consequence of the insignificance of these documents?—Yes, insignificance when compared with the records in other offices, and when viewed in connexion with the objects for which I was instructed to commence my labours at the Tower.

3772. Did Mr. Cooper adopt this suggestion?—No. I suggested to Mr. Cooper that it would be more advisable to print the early Pipe Rolls up to the commencement of the reign of King John, at which period the Charter and Close Rolls begin; my suggestion was not attended to.

3773. But the work you represented to Mr. Cooper as so comparatively worthless has been proceeded in since?—Yes, to a certain extent it has; but not to any great extent, because I caused the more valuable of these Miscellaneous documents to be transcribed, and I have since directed my clerks to proceed with the remainder of those documents which Sir Francis Palgrave had commenced, namely, the ancient correspondence, in the hope of soon seeing it printed as a separate work; and having completed these transcripts, I find they will form about three thick octavo volumes. When that task was finished, I commenced transcription of the Cartæ Antiquæ, about two-thirds of which are now copied; and when these rolls are completed, that work will also form about three octavo volumes.

3774. Did you understand from Mr. Cooper why he wished you to continue the proceeding of this catalogue, which you stated to him was so comparatively insignificant?—When I mentioned it to Mr. Cooper, he told me that the impression on the minds of the commissioners was, that the work ought to be continued, as Sir Francis Palgrave had been employed a year upon it; and that as they had come to that conclusion, it was unavailing for me to make any observations upon the subject. In fact, the way in which my suggestions were received, was not such as to induce me to revive the subject after I had thus discharged my own conscience.

3775. You succeeded Sir Francis Palgrave in this work?—Yes; there was a short

short interval between the time of Sir Francis Palgrave's nomination to the Chapter House and my appointment under the Record Commission.

3776. Did Sir Francis Palgrave leave any materials for you?—I received five thin folio volumes of transcripts which Sir Francis Palgrave had made during the year in which he was employed at the Tower; the greater part of these was taken from the foreign correspondence.

3777. Did you receive any portion of the catalogue which had been framed by Sir Francis?—None whatever.

3778. Or any materials for it?—None whatever.

3779. Did you find in operation any plan for arranging and sorting the records which had been carried on by Sir Fraucis?—No; the catalogue was formed on my own plan. I communicated this plan to Mr. Cooper, and he submitted it to the board; it was adopted without modification or alteration in any way; and upon this plan I have acted throughout, and formed several thousand slips.

3780. Have you been employed in arranging and sorting the Miscellaneous Records?—No, I had not the power of doing so.

3781. Why?—I did not receive instructions to that effect. Mr. Petrie, the keeper of the records there, would not have permitted me to interfere with the regulations of his office. No such arrangement was attempted by Sir F. Palgrave, and my instructions were not more extensive than his. I have reason to believe that in the minute of the board which was sent to Mr. Petrie, no intimation was given to him that it was ever intended that I should employ myself in arranging and sorting the Miscellaneous documents; had such intimation been given, this misunderstanding would have probably been removed by his representations to the board. In fact, the manner in which I receive documents from the officers of the Tower is by tale. These documents are entered in a book, and a receipt is given for them; when returned they are restored to their former places by a gentleman of the establishment; arrangement is therefore out of my power. In compliance with the rules of the office, communicated to me by Mr. Petrie, I have made it a rule to replace each document in the same bundle in which I found it.

3782. Then, in fact, Mr. Cooper must have been in error when he states you have been employed in sorting, arranging and superintending the cleaning of the Miscellaneous records?—Mr. Cooper must have misunderstood my reports or my instructions. I indeed could have arranged the catalogue, but I had no power over the documents themselves.

3783. You have been employed in editing the foreign correspondence?—Not in editing it; in preparing it for the press. When I named the subject to Mr. Cooper, which I did several times, he told me that there existed a minute of the board directing that work to be edited by Sir Francis Palgrave; he told me, however, that when I had prepared the work for the press, my name should be inserted as the editor instead of Sir Francis Palgrave's. About the end of last year, when I told him that it was nearly ready, he promised me that it should go to press very speedily; namely, as soon as the funds of the board would allow of it. In the last quarterly report which I have made (25th March), I mentioned that the transcript of the work was completed. Since that period I have had no further instructions upon the subject.

3784. By whom were you originally appointed to edit the work?—I was not appointed to edit the work; I was merely directed to employ myself in preparing it for the press, and was told that it should be edited by me, under the order authorizing Sir Francis Palgrave to print it.

3785. Do you know whether he ever applied to the board to substitute you for Sir Francis Palgrave?—I presume that he did not; he having heard from me that it was ready to go to press, and I not having heard from him since upon the matter.

3786. In fact you have been employed to make all the preparations of a work for the press, without knowing whether you are editor, or whether it is to be published?—I am not aware whether there is any order of the board under which I am to be editor of that work; I can only say, that I acted under the previous order, which I have mentioned, as more immediately applicable to Sir Francis Palgrave.

3787. You have stated that no such instruction has been given?—No such order of the board has been communicated to me.

3788. Sir *Matthew Ridley*.] Your original engagement with Mr. Cooper was,

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was, that you were to be inserted as editor instead of Sir Francis Palgrave, as soon as you reported it ready for the press: you have reported it as ready for the press, and since then you have had no communication from Mr. Cooper?—Exactly so.

3789. *Chairman.*] What has been your employment for extra hours?—My employment in extra hours has been in forming a chronological abstract of the documents transcribed for the new edition of the Fœdera; of that catalogue one volume is finished at press, and contains a detailed analysis of a large collection of state papers and letters, from the reign of Edward the Third to the accession of Elizabeth.

3790. Is that Appendix E.?—Yes: the second volume is in preparation, and a considerable part is printed. In connexion with these volumes, I think it right, in justice to myself and the board, to mention that, knowing the general dissatisfaction which these appendixes to the report upon the new edition of the Fœdera have excited in the mind of the public, I have refrained for several months from continuing Appendix E, thereby depriving myself of a considerable part of my annual emoluments.

3791. At what rate were you paid for those?—Five guineas per sheet. As the remuneration is exceedingly small, I must add that the terms were proposed by myself, upon Mr. Cooper's statement to me that the commissioners were very much displeased with the exorbitant demands made by some of the gentlemen employed by them as editors; and his advice to me, given as a friend, that I should not prejudice the commissioners against me by acting in a similar manner. Upon that representation and advice I voluntarily fixed what must be considered a very inadequate scale of payment, namely, five guineas a sheet; for you will observe that the octavo page which is adopted is unusually large, and that a disproportionately small type is employed; the abstract, too, is formed upon a plan which involves considerable labour; dates, and modern names of places and persons, being supplied, and the whole arranged chronologically. When the commission does not hesitate to pay five guineas per sheet for the editorship of records, the transcription of which it pays besides, my remuneration for Appendix E is at a rate which is, I believe, unprecedentedly low.

3792. This is printed as an appendix to Mr. Cooper's Report?—Yes; I was not aware of that fact until some progress had been made at press; I thought it was to have been an independent work. When I saw the form of the page and the size of the type, I recollect remarking to the printer that I did not admire Mr. Cooper's taste in making such a selection, and that I did not think the work when finished would range with the other publications of the Record Commission. Even then I was not informed that this chronological abstract was to form merely an appendix to a report on the Fœdera; had this fact been intimated to me, I might perhaps have objected to employ myself upon it.

3793. When you talked of it as a mere matter of taste, you did not know it was to be an appendix, the form and type of which would be regulated by other considerations?—I did not know that such was to be the case; indeed I began that abstract long before I was in the service of the board, and at a period when I did not know so much of the affairs of the Record Commission as I now do.

3794. How came you to be preparing at the Museum a catalogue of documents which are required now for a work which you could not then have contemplated?—I became acquainted with Mr. Cooper at the Museum in the year 1832; at that time he was pursuing his investigations into English documents existing in foreign libraries. I then saw Mr. Cooper almost daily, and happening to possess some catalogues of, or information upon, such documents, I communicated them to him; this led to further conversation upon the works contemplated by the board, and he asked me if I should have any objection to make a chronological abstract of the documents which had been transcribed for the Fœdera. I consented to do so; and without coming to any pecuniary arrangement, I commenced the volume which you have in your hand. It was finished and was paid for in August last year. Upon the day of settlement Mr. Cooper made the observations to which I have recently alluded, and according to his advice I consented to accept payment at the rate of five guineas per sheet; I did not know the terms until that period.

3795. Who do you understand to be the editor of the new edition of the Fœdera?—I do not know whether Mr. Cooper or Mr. Black.

3796. Did Mr. Black superintend this in any way?—No.

3797. Had

3797. Had he any communication with you upon the subject?—No; the plan and execution are entirely my own.

3798. How is it you have been drawing up a catalogue of materials for a work to be edited by other persons, without those persons having any communication with you upon the subject of the work you were drawing up?—It is a difficult question for me to answer; I do not know how I shall meet it.

3799. This is a catalogue of materials to be used by Mr. Cooper or Mr. Black?—By the editor of the new edition of the Fœdera, whoever that editor may be.

3800. Is it not rather extraordinary that a catalogue of materials to be used for that work should be published, without ever having been inspected by the person under whose auspices that work is to be published?—I presume that all the documents of which you see an abstract are not to be published in the Fœdera; indeed many of these documents, as I have frequently mentioned to Mr. Cooper, should not have been transcribed. The volume before you is meant rather to be a guide to the future editor of the New Edition of the Fœdera, by showing him the comparative value of the documents.

3801. What is the utility of this volume to the public?—It gives them in a short space an insight, good or bad, into an immense number of documents which they otherwise would not have had an opportunity of seeing.

3802. Not connected with the Fœdera?—No, independent of that work.

3803. Then it is obvious from your statement, that the work ought to be published without any reference to the Fœdera, and as a distinct work?—I think it more desirable that it should be so.

3804. It has been stated here by Mr. Cooper, in his examination, that an estimate has been made of the expense of forming calendars of the records in the Tower, and that it amounts to the sum of 366,800 *l.*; it has been stated by another witness, Mr. Hardy, that he has made very detailed calculations, by which he arrives at the result that the utmost expense of such an undertaking would be something between 25,000 *l.* and 26,000 *l.* The calculations given by Mr. Cooper appear in some measure to be founded on your authority; for he states, "I have desired Mr. Stevenson to examine the data furnished by the return that Mr. Petrie made in 1831, and to calculate what would be the cost of perfecting the calendars of all the records preserved at the Tower." That calculation has been made; and as the result of that calculation, which he thus attributes to you, he gives the large sum I have mentioned?—I am aware that such a statement has been made by Mr. Cooper, and I think it necessary to offer a few observations upon the subject. I happened to see Mr. Cooper, I think on a Saturday; he mentioned to me that he had given in evidence before this Committee, that he believed a very considerable sum, greater indeed than the funds of the commission could afford, would be required to be expended upon the formation of a catalogue of the Miscellaneous documents in the Tower. For the purpose of supporting this assertion, he requested that I would look at Mr. Petrie's statement of the sum which would be required to perfect one series of rolls, and apply that to a calculation which should embrace the whole of the documents in the Tower, including the Chancery proceedings. He asked me to bring this calculation on the ensuing Monday: in reply I told him that it would be impossible during that interval of time to make anything except an exceedingly wide guess upon the subject; but when he stated that even a guess would be satisfactory, I endeavoured from the very inadequate data with which I was furnished, and without going to the Tower, to make a species of calculation. I beg it to be distinctly understood, that this calculation is one which cannot, and ought not to be placed in competition with Mr. Hardy's; that as I meant my crude statement solely for Mr. Cooper's own private information, and had no idea that it was intended to be introduced as evidence, I strongly protest against the use which has been made of it. I distinctly remember that when I placed it in Mr. Cooper's hands, I told him it was *de trop*; that the result carried with it proof of its absurdity. I stated then, as I do now, that I had no opportunity of employing the calculations by which Mr. Hardy has arrived at the result which you have mentioned; and knowing the pains which he has taken to ascertain the truth, I am under the necessity of avowing that I am now perfectly aware he is right, and that I am wrong.

3805. The error of your calculation we are to attribute to the erroneous data on which it was prepared?—Yes.

3806. Did it strike you that the data were erroneous at the time?—Yes; I said

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I said to Mr. Cooper, when I gave him the paper, which should not have been dignified with the name of a calculation, "Here is the result, but it is obviously of no use to you."

3807. Did you say the data were incorrect?—Yes, I did.

3808. In spite of that remark of yours, Mr. Cooper has given the Committee a return founded on data that the person who had calculated the return stated to be absurd?—Mr. Cooper has, it appears, produced it in evidence, knowing what my opinion of its accuracy was; when I gave it to him, I was not aware of the use which he intended to make of it, and when I learned that this calculation had been produced in evidence, I felt considerable surprise that public use should be made of a document which I considered private; so much so, that when Mr. Cooper at a subsequent period requested I would make calculations applicable to some other record offices, towards which I had data infinitely superior to those employed in the calculation relative to the Tower, I expressly declined to do so. I regret that Mr. Cooper has placed me in a situation which compels me to bring this explanation before the notice of the Committee, but I feel bound to do so in self-defence.

3809. You felt bound to explain to the Committee the way in which the calculation was made?—Yes; which I knew at the time, and stated to Mr. Cooper, to be erroneous.

3810. Sir *Matthew Ridley*.] At the time you made it, you expressed your opinion that it was not one upon which a correct calculation could be founded?—Certainly so. Besides, I must remark that the difference in the gross sums of the two calculations is chiefly to be attributed to a fact which must not be lost sight of, namely, that Mr. Cooper's calculation includes, while Mr. Hardy's omits, the Chancery proceedings; a class of documents which more than equals the whole of the other records in the Tower.

3811. *Chairman*.] You believe Mr. Hardy's calculation to be accurate?—Yes; because I know the plan upon which it was conducted, and the details through which the result was arrived at.

3812. You know the data of Mr. Hardy?—Yes.

3813. You believe them to be correct?—Yes; I know that he was employed during six weeks upon that calculation, and that to ensure its accuracy he examined each roll, counted the membranes in each roll, and the instruments upon each membrane; he then formed an abstract, not only by his own hand, but that a similar abstract was made by an experienced clerk, under his superintendence. Having found the aggregate number of instruments, and the average length of time which would be required to analyze them, he saw the time which the whole would require; and by giving so much a day to the clerk, and so much a day to the editor, he saw exactly not only the time which would be required, but to a fraction the sum of money which the calendar would cost. Mr. Hardy's calculations are therefore perfectly correct, and of course mine perfectly erroneous.

3814. You wish to have it understood that you knew the data by which you have arrived at an estimate more than 14 times the amount required, to be absurd, and that you so stated to Mr. Cooper at the time?—Yes; and moreover, that when Mr. Cooper told me that he had given my loose guess in evidence, I told him the plan which ought to have been pursued in such a calculation, and stated that it was absolutely necessary to examine each roll, each membrane, each instrument; and after an abstract had been made of an average number of instruments, a calculation might safely be commenced, but not until then.

3815. In consequence of that representation did Mr. Cooper take any pains to get such an improved estimate?—I am not aware of what Mr. Cooper may have done; but as I mentioned to him that Mr. Hardy was providing himself with such an estimate, he might think that any further proceedings were unnecessary.

3816. Do you think, from what you have seen of the records in the Tower, and of those that are in any way interesting to the public, that a calendar or index would be most serviceable?—I certainly think it would be an acceptable gift to the public if a calendar of numerous documents in the Tower were made, particularly to the Patent, Close, Fine, Liberate and other Chancery Rolls; but if this is to be applied to the Miscellaneous documents there, I would add, that a great deal of misapprehension has arisen from the vague manner in which that term has been used, and that many of them are not worth the cost which a calendar would demand.

3817. Do you not think that with respect to all records of value, that calendars are most essential?—Decidedly I do.

3818. Do you think that an expense of between 25,000 *l.* and 26,000 *l.* for all the documents in the Tower, would be an expense which it would be useful for the commissioners to go to, in the course of time?—If my opinion can be of any weight, I decidedly say that the funds of the commission could not be applied to a more appropriate object.

3819. Sir *Matthew Ridley.*] And that it would be worth it?—Yes, not only for legal purposes, but for historical and antiquarian.

3820. *Chairman.*] Have you seen some specimens of catalogues that were made by Mr. Cole, for the King's Remembrancer's Office?—Yes, I saw three or four sheets in Mr. Cooper's hands.

3821. Were they shown to you by Mr. Cooper?—Yes, they were.

3822. About what time was that?—I have been endeavouring to recollect the time; I think it must have been about March last year, but of the exact date to a month I speak with diffidence; certainly it was early in that year.

3823. Did he express any opinion of those catalogues?—Yes, he expressed a very decided opinion.

3824. What was it?—A very favourable one; he told me that he should be rejoiced when my operations at the Tower had been continued so long as to produce a similar work.

3825. He showed them to you as specimens of a good catalogue?—Yes, and coupled it with the hope of seeing a similar catalogue of the Miscellaneous documents in the Tower.

3826. Have you heard of these specimens, shown to you as specimens of a good catalogue, being subsequently suspended, in consequence of the erroneous plan upon which they were formed, and the want of accuracy in their compilation?—I have heard that such is the case.

3827. Have you ever heard of a school of young transcribers?—If by a school of young transcribers you mean those young gentlemen employed under Mr. Black at the Museum, I have heard of such a school, inasmuch as one of the pupils was transferred from the Museum to assist me at the Tower.

3828. Do you know how many there are at school?—I believe there are four or five. The pupils do not seem to have made much progress; for the only one of these gentlemen with whom I have had any dealings, told me that they had not been employed in transcribing documents of any great antiquity, and that he and his companions were chiefly occupied in copying the matter which was not inserted in Rymer's Fœdera; these papers were written about the beginning of the last century.

3829. What was their age?—He was about 22 or 23 years of age: he was, as I believe the others are, a young gentleman of considerable attainments and of respectable connexions; his salary did not exceed 40 *l.* a year.

3830. Under the auspices of Mr. Black they are learning to transcribe documents not 150 years old, which are the documents rejected by Rymer in the formation of his Fœdera?—Yes, so it would appear, if I am right in supposing that these young gentlemen form the school of young transcribers.

3831. What can be the utility of learning to transcribe documents of that nature?—Their time appears to me to be thrown away, and these transcripts upon which they have been employed are of no earthly value.

3832. Mr. *Pusey.*] Are they transcribing from the folio manuscripts of Rymer?—Yes, they are transcribing Rymer's transcripts, the originals of the greater part of which are in the Tower.

3832. *Chairman.*] This gentleman who was draughted off to you, did you find him competent to read records?—Certainly not; I had to teach him the rudiments of his business; he told me he had not before transcribed any documents of the age of Edward the First, having been solely employed in copying Rymer's Collectanea; and a considerable portion of my time was occupied in teaching him to read documents of this age, and in correcting his transcripts from them; and when he had made some progress, and had become useful, he was fortunate enough to obtain a situation in the department of Antiquities in the Museum, and consequently left me and the school.

3834. So that the school of young transcribers has not produced any very great adepts in the art of transcribing?—This is the only opportunity I have had of judging.

3835. Mr. *Pusey.*] Are you aware whether the other scholars were employed

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in the same way?—Yes, I believe they are employed in the same way; they may have been incidentally employed upon other work, but I have occasion to know that they are generally and almost solely occupied in transcribing Rymer's Collectanea.

3836. *Chairman.*] From what you judged of his capabilities, and from his own account of the work he had been performing, was that work of a literary or rather of a mechanical nature?—I should say it was too mechanical.

3837. It seems to have been work hardly very different from that of any attorney's clerk?—Exactly so; the transcripts are written in a very plain hand, and to be fitted to re-transcribe them requires no diplomatic knowledge.

3838. Can you conceive how, for such a work as that, it was necessary that these young gentlemen should have had opportunities of access to a large library, which Mr. Cooper states in his return to Parliament had been partly collected for their behoof?—I am at a loss to conjecture how such can be the case when these young gentlemen are solely employed at the Museum, and consequently have access there to all the books which can be requisite for their studies.

3839. They would have access to all the books there?—Yes, and to many more than Mr. Cooper can be supposed to have in his library.

3840. Have you seen that return to Parliament?—No, I have not.

3841. It would appear from your account that the work they have had to perform was a work requiring no consultation of any book whatever?—No, unless they attempted conjectural emendation, which is often necessary to correct the gross absurdities evident in the greater part of Rymer's transcripts; but even in that supposition, I do not know that such a library would be requisite or useful.

3842. For that work they would hardly have been qualified, namely, the work of conjectural emendation?—I should think not.

3843. Mr. *Pusey.*] You state that those transcripts of Rymer are very inaccurate; are you aware whether those re-transcripts are equally inaccurate?—I presume they are true copies of the matter which Rymer would not introduce into the Fœdera. I have frequently consulted them, and almost always found them so inaccurate that I could not use them. The same opinion is expressed by Sir Harris Nicolas, in the preface to one of the volumes of the Proceedings of Privy Council.

3844. Where are the originals of these documents?—For the most part in the Tower. Upon one occasion, when one of those young gentlemen was re-transcribing a document which Rymer had copied in a faulty manner from the Rotuli Scotiæ, it was pointed out to him that the Rotuli Scotiæ had been printed; upon a reference to the printed volume he found the correct reading, and was thus able to remove the difficulty over which he had been puzzling.

3845. *Chairman.*] Do you know how this young man who came to you got the situation under you?—When I made an application to Mr. Cooper for further assistance, he requested me to ask Mr. Black whether any of the gentlemen under him might be qualified to assist me at the Tower. Mr. Black recommended Mr. Birch, the gentleman of whom I speak, as being the individual best qualified for the work which I had to carry on.

3846. How many clerks have you under your employ at this time?—I have two.

3847. Are they dependent on you or Mr. Cooper, or on the board, for their appointment and continuance?—I am not able to answer the question with accuracy, but I presume they are dependent on me. One of them, Mr. Hamilton, was recommended to me when I was first employed at the Tower, and I taught him his business from the beginning; Mr. Bond, the other, was with Mr. Hardy till Mr. Hardy's operations were suspended, and then Mr. Cooper directed that Mr. Bond's services should be transferred to me.

3848. Was the salary of Mr. Birch augmented on his coming from Mr. Black to you?—I regret to say it was not. I suggested to Mr. Cooper that the salary of 40 *l.* a year was not such a sum as should be given to a gentleman of respectability and considerable attainments; and I requested that as Mr. Birch was employed upon work of a superior nature, he should receive an augmentation of salary. I regret to say that my request was not attended to.

3849. Are you expected or permitted to make any report to the commission respecting the proficiency of the clerks under you?—No, I have never been called upon to do so. I have, I believe, incidentally mentioned in my quarterly reports, that in consequence of having to teach these young gentlemen the rudiments of their

their profession (which I have had to do in two cases out of three), a very considerable delay arose, and that my work was correspondingly impeded; but whether Mr. Cooper has mentioned this fact specifically to the board, I have no means of knowing. I experienced great difficulty with one young gentleman who was sent to me; for after employing about three months in teaching him something more than even the reading of the records, I was compelled to tell Mr. Cooper that he was not qualified for the work which I was carrying on, and he was removed from the Tower. I taught him Latin.

3850. By whom was he recommended to you?—He was recommended by Mr. Bellenden Ker, through Mr. Cooper.

3851. He was recommended to you by Mr. Cooper?—Yes.

3852. Are you aware of any clerks who have been dismissed from Sir Francis Palgrave's?—I am aware that when I was forming transcripts for the Fœdera, that Mr. Matchwick, formerly one of Sir Francis Palgrave's clerks, requested to be employed, and he remained with me until these transcripts for the Fœdera were finished.

3853. Do you know whether he is in the employment of the commission now?—I believe he is not.

3854. Did you find him competent?—Yes, as far as transcription of records was concerned; but from what I saw, I did not think he was eminently qualified to assist me in forming calendars.

3855. Was not he more competent than this gentleman recommended to you by the secretary?—Decidedly he was.

3856. Are you aware whether any persons in the capacity of clerks, who were well educated for their business, have been dismissed, and are now out of employment?—From a comparison of the names of the clerks formerly in Sir Francis Palgrave's employment, with those who are now in his service, it appears that certain transcribers formerly employed by the board are not now so employed; whether they are willing to enter into the service of the board I have no opportunity of knowing. Mr. Bond, too, recently employed in the Augmentation Office, is not now in the service of the board.

3857. You say you have been employed in the business assigned by the commission for sub-commissioners, and that you have also been engaged in editing that Appendix?—Yes, I have been so employed.

3858. In the course of those avocations have you ever had occasion to consult the library of the commission?—I have sometimes used the library of the Record Commission, and have also borrowed one book from Mr. Cooper's private library, which book did not exist in the library of the commission.

3859. How do you know whether it is from Mr. Cooper's library or in the library of the commission?—Because Mr. Cooper told me that it was from his private library.

3860. What was that?—It was the first volume of the State Papers, printed by the State Paper Office. I have frequently borrowed other volumes from the Record Commission library, but they were chiefly for the pursuit of my own private investigations.

3861. Where is that library kept?—In Boswell-court.

3862. Are you generally acquainted with the nature of that library?—No, I cannot presume to say I am; I have been in it several times, and have looked along the shelves; but as I have never examined it leisurely nor seen a catalogue of it, it may contain many books of which I have had no opportunity of knowing.

3863. You have derived comparatively little aid from it?—As far as the works of the commission are concerned; but in regard to my own private pursuits I have availed myself of the opportunity which it affords me of having books at home which I could otherwise only have consulted at the Museum.

3864. Have you found it necessary, to assist you in your occupations for the commission, to purchase any books for yourself?—Yes. For the catalogue of documents transcribed for the Fœdera, which I see upon the table, I expended a very considerable sum in furnishing myself with necessary books to execute that work in a creditable manner.

3865. What works were they?—They were chiefly works of reference. Amongst others, I purchased the work entitled, L'Art de Verifier les Dates, 19 vols. 8vo.; Rymer's Fœdera, 19 vols. folio; Moreri's Historical Dictionary, 10 vols. folio; Martenière's Geographical Dictionary, 10 vols. folio; Dugdale's Baronage, 3 vols. folio; Douglas's Peerage of Scotland, 2 vols. folio; Chastelnau's Memoirs, 3 vols. folio;

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folio; Anderson's Genealogies, 2 vols. folio; and many others in quarto and octavo.

3866. Did you not know that copies of those books were existing in the library of the commission, for the use not only of the school of young transcribers but those engaged in the service of the board?—I was not aware of that fact; but in justice to Mr. Cooper I must add, that when I told him I was about to purchase the work entitled L'Art de Verifier les Dates, he requested me to do so, and to cause it to be placed to the account of the commission; a privilege of which I did not avail myself.

3867. Have you charged any books you so purchased to the commission?—In general I have not done so; the only instance which I recollect is Tanner's Notitia Monastica.

3868. Have you applied to Mr. Cooper to purchase any other books for you?—I have requested him to procure two volumes.

3869. How long a time were you engaged upon the Appendix (E.) since you have been in the employment of the commission?—I was engaged upon it at the time I entered into the employment of the board.

3870. Have you been engaged upon it ever since?—Yes, upon that volume which you have before you, and the succeeding volume; but although I have manuscripts ready to send to press, nothing has been printed for some months past, for the reason which I formerly stated.

Mercurii, 11° *die Maii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Charles Lemon.
Sir Robert Inglis.	Sir Matthew Ridley.
Mr. Hawes.	Mr. Charles Villiers.
Mr. Pusey.	

MR. CHARLES BULLER, IN THE CHAIR.

Sir *Harris Nicolas*, K.C.M.G. called in; and Examined.

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3871. *Chairman.*] I BELIEVE you have had occasion to make a good many researches among the ancient records of this country?—Yes.

3872. Those researches have been partly for legal and partly for antiquarian purposes?—Searches for legal purposes have never been actually made by me, because as counsel I have only directed them to be made. I was, however, of course aware of their nature.

3873. I believe you have directed considerable attention for some years past to the constitution and proceedings of the Record Commission?—During the last ten years I have paid constant attention to it. In consequence of my literary and professional pursuits my attention was drawn about the year 1827 to the state of the public records, and the proceedings of the Record Commission, and in a criticism on "The Parliamentary Writs," "The Calendars to the Proceedings in the Duchy of Lancaster," and to those in "The Court of Chancery" published in "The Retrospective Review," towards the end of that year I noticed the discreditable manner in which many of the works printed by the Record Commission were edited, and pointed out serious defects in the plan of some of the books which were the immediate subject of that article, as well as several instances of wasteful expenditure and mismanagement in the business of the Commission generally. This was, I believe, the first occasion on which the attention of the public was directed to the proceedings of the Record Commission; and the subject was renewed in several other parts of "The Retrospective Review" during the year 1828. Early in 1829 I resolved to bring the abuses which prevailed in Record offices, the exorbitant fees demanded for inspecting and copying any part of their contents, and the impediments which the system created, as well to historical inquiries as to the administration of justice, prominently before the public; and in April in that year I wrote an article on the subject in "The Westminster Review." The salaries and fees of the keepers

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and clerks, as well as the regulations in each office, were fully stated; and many instances were cited in which the system had proved most injurious to literature. The main object of the article was, however, to insist that the public had a right of access to the public muniments without any charge whatever, and that no other restrictions on their use ought to exist than what were absolutely necessary for their proper conservation. Comments were also made upon the expenditure of the Record Commission, the costs of its works, and its total neglect of testamentary records. The defect in the constitution of the Commission, by placing upon it numerous high functionaries of state, instead of persons able and willing to devote their time to its duties, and the consequent delegation of those duties to the secretary, were pointed out as forming the principal cause of the mismanagement and improper expenditure by which all its proceedings had been characterised. I observed, in conclusion, that the present system respecting the public records "is so bad, that it is in the power of the various keepers either to promote or retard researches at their pleasure, even when the fees are paid, whilst such is the absolute property they possess in the records, that without paying the fees they may exclude every man in the country from ever seeing any public instrument in their custody;" and the following suggestions were submitted for a change in the existing state of things:—"First, the immediate abolition of the then existing Record Commission; secondly, to concentrate the various records in one building in a central position in the metropolis; thirdly, to allow gratuitous access with full permission to copy any record in either of them, under the superintendence of one officer of the establishment, so as not only to permit but to afford every facility and encouragement to research; fourthly, to appoint the necessary number of persons, with moderate salaries, to arrange and index the masses of documents, which, notwithstanding the sums expended by the Record Commission, were perishing for want of common care, and of the contents of some of which not a creature living has the remotest idea; fifthly, to cause those persons, and all others employed in record offices, to be really what they profess to be, clerks, to exact from them rigorous attention to their duty for at least eight hours a day instead of five, as at the Tower, and two and a half, as at the Chapter House, not to permit them to be sub-commissioners or record agents, as at present, and to pay them liberally, though not exorbitantly; and lastly, to nominate three responsible persons as commissioners to see those objects carried into execution."

3874. Mr. *Hawes.*] What do you mean by record agents?—Persons who make searches for solicitors. If a solicitor who is himself unacquainted with records wishes to obtain information from them, he employs some gentleman whose particular profession it is to collect evidence of that nature. Many of those persons have been, and I believe still are, clerks in record offices; but in my opinion, neither record keepers nor their clerks ought to be permitted to act as agents for private individuals, because it is in their power, when officially requested to produce all documents bearing on any particular subject, to keep back whatever may be injurious to the interests of their own clients. In the Tower (and I believe in the Tower only) each officer of the establishment is sworn to produce to any applicant every record within his knowledge, which may in any way relate to the matter in question; but if the officer happens to be the agent of a party opposed to such applicant, his duty to his own client is scarcely consistent with his oath.

3875. You would confide the keeping of records to public officers?—Yes; and the necessity of such an arrangement is, in some degree, shown by a recent regulation of the House of Lords, which is founded upon an earlier rule; that if you wish to establish any fact before the House, such, for example, as the non-existence of a particular instrument, you are bound to prove that the search has been made by the proper officer.

3876. Sir *Robert Inglis.*] In your explanatory answer, you stated that the keepers of the records ought to be public officers; will you explain to the Committee in what sense of the word the keepers of records are not public officers; take the Chapter House, or the Tower?—I consider the keeper of the Chapter House and the keeper at the Tower to be public officers, because they are appointed by the Crown, and are paid regular salaries; but I can scarcely apply the term to the keepers of many other record offices, for example, the keeper of the records of the Rolls Chapel, who is appointed by and is responsible to the Master of the Rolls, and who is not paid any salary. I consider a public officer to be

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be one who is appointed by the Crown, and who is paid a salary for his services.

3877. The keeper of the records in the Chapter House is responsible to the Lord High Treasurer, or the Lords of the Treasury for the time being, and the keeper of the records in the Rolls is responsible to the Master of the Rolls; in what does the responsibility vary in the one case and in the other?—In the case of the keeper of the Rolls, instead of the Crown directing what duties he shall perform, he receives his instructions from the Master of the Rolls.

3878. *Chairman.*] You consider the Lords of the Treasury the mere ministers of the Crown, through whom the will of the Crown must be conveyed to its subordinate functionaries?—Yes.

3879. But the distinction in your mind is, that the Master of the Rolls is a functionary appointed for life, not responsible to the Crown for the management of the business of his office, and could not be dismissed at the mere pleasure of the Crown for not conducting this department of the business to its satisfaction; and therefore you consider the keeper at the Rolls Chapel responsible to an individual, and not the Government of the country?—Yes; and if the Master of the Rolls selects an inefficient person, the Crown has no control over the appointment, it being at his absolute pleasure to appoint whom he pleases. The keepership of the records in the Rolls Chapel is in fact little more than a sinecure.

3880. Sir *Robert Inglis.*] Does the same answer apply to the keeper of the records in the Remembrancer's office?—The King's Remembrancer of the Exchequer is, I believe, appointed by the Crown.

3881. We all know that the Master of the Rolls had nothing to do with law originally?—Yes; when, in my former answer, I said a public officer, I meant that their time should be entirely occupied in the public business of their department.

3882. Sir *Charles Lemon.*] You mean, with reference to that distinction, that they should not be employed by private individuals?—Yes.

3883. Sir *Matthew Ridley.*] Then the Committee are to understand that your opinion is that the persons appointed by the Crown, and paid by a public salary, should keep their attention confined to public purposes, and not have their attention directed to obtaining information for purposes of justice?—Yes, except in cases like the one I have before mentioned, where the House of Lords insists upon the searches being made by an officer of the establishment. With the view of ensuring the attention of the Government to my statements respecting the public records, and of removing any objection on the ground that the facts were not authenticated by the name of the author, I immediately sent a copy of the article which was published in "The Westminster Review," to the Duke of Wellington, who was then the Prime Minister, informing him that I was responsible for what was stated in it, and respectfully and earnestly entreating him to take the subject into his consideration. His Grace did me the honour to send me the following reply:—

"The Duke of Wellington presents his compliments to Mr. Nicolas, and begs leave to inform him, in answer to his letter of the 19th instant, that the state of the records of the country is under the consideration of the Government.

London, April 20th 1829."

In consequence of some additional facts having come to my knowledge, I printed a short postscript to the article in "The Westminster Review," in the same work for October following, which gave me an opportunity of again bringing the subject to the attention of the Duke of Wellington, in January 1830, by forwarding a copy of it to him, accompanied by a second urgent representation of the necessity of the interference of the Government; but his Grace did not then hold out the hope of any thing being done, as he simply acknowledged the receipt of my communication.

The change which took place in the Government in November 1830, by the accession to power of a party pledged to the removal of abuses of every kind, to a vigilant watchfulness over the expenditure of money granted by Parliament for public objects, and which included many individuals who had distinguished themselves by their love of science and literature, afforded the most sanguine expectations of a reform in the system of keeping the public records. I therefore determined to address a letter to Lord Melbourne, as Secretary of State for the Home Department, pointing out the present state and regulations of the

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Record offices, and urging the propriety of appointing a new Commission with full authority to make every necessary alteration. In December in that year I accordingly published a small volume entitled, "Observations on the State of Historical Literature, with Remarks on Record Offices and the Proceedings of the Record Commission." I beg leave to hand a copy of that book to the Committee [*handing in the same*]. The letter to Lord Melbourne, which is prefixed to it, will show that I have made every effort in my power to obtain the assistance of the Government in reforming defects and abuses in the system of keeping the public muniments of this country.

3884. *Chairman.*] When was this published?—In December 1830. The calculations given in that work respecting the cost of the various books printed by the late Record Commission, were taken from a Parliamentary Return moved for by Mr. Protheroe of the whole expenditure of the Commission from 1801 to 1830. The expenditure of the ten years immediately preceding the Return was however, the only part of it which was printed, but Mr. Protheroe having obtained for me the whole Return, I took the trouble of preparing a synoptical account of the expense of each work under the different heads of editorship, engraving, printing, paper, and binding, and I forwarded a copy of that statement to the Board of the Treasury. In the "Observations" addressed to Lord Melbourne, I endeavoured to prove that the former Commission was defective in its constitution, from having consisted of persons of high official rank who had other more important duties to perform, instead of being composed of a few paid and responsible persons, that nothing which it was most essential to effect had been done, and that a system of wasteful if not of profligate expenditure had been sanctioned, which was alike discreditable to the government and unproductive of benefit to the public; that the publication of a few calendars and other works was a secondary object; that the condition, regulations, and fees of Record offices required most serious consideration, and that a total alteration in a system which had the effect of rendering the muniments of the kingdom comparatively useless, formed the first and most important duties of such a Commission. Copies of the "Observations" were sent to all the ministers, including of course the nobleman to whom they were addressed, and to the late Mr. George Lamb, then one of the Under Secretaries of State for the Home Department. From Mr. Lamb I received the following note, and the Committee will not be surprised at its having excited a hope in my mind that the changes which I advocated were about to take place:

"Sir, Home Office, Friday, December 10th 1830.

I beg leave to acknowledge the receipt of your work with great acknowledgments for it. As far as I have read (for the pressure of business has prevented me from reading it through) I agree with the statements and reasonings: till Parliament is adjourned it is impossible for me to attend as I wish to do to the framing of the Commission, but when I find myself in a state to take it up, I shall take the liberty of communicating with you upon the subject.

I remain, Sir,
Yours obliged,

Mr. Nicolas. *G. Lamb.*"

Mr. Lamb's promise of communicating with me, before the new commission was appointed, was not fulfilled; but, confiding in the character of the Government, and especially in that of the Lord Chancellor, who it was said had taken the construction of the new commission into his own hands, I felt assured that it would consist of able and practical persons, aware of existing evils and resolved to remedy them; and that at least the fundamental error of the late Commission, of having a long list of high officers of state or literary amateurs, would be avoided. My astonishment may therefore be imagined, when I found that not only had the same fatal principle been adopted in the selection of the commissioners, but that every individual who had taken an active part in the former commission was re-appointed. I was therefore at once convinced that the new Commission did not contain the elements of practical utility, and that it would neither reform abuses, nor repress the system of jobbing which had so long prevailed.

3885. *Chairman.*] Is the new commission more numerous than the old one, or are the numbers the same?—Nearly the same.

3886. You always thought that the number of the Record Commission was one of the great objections to it?—I did.

3887. That it was too numerous a board to work well?—Yes.

3888. And that fault exists quite to as great an extent in the present?—I think so.

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3889. With respect to the high public functionaries, I mean those who appear to have been appointed in their official capacity, and to have held a place in the Commission merely upon their tenure of some other office, was the number of them as great?—The late board contained nine, and the present has five *ex-officio* members. With regard to that point, the Committee will permit me to make an observation that considerable doubt exists in my mind whether Lord Brougham was an *ex-officio* commissioner or not; my impression is, that he was an *ex-officio* commissioner, and therefore that he is not at present a member of the board.

3890. You say that upon reading the commission?—Yes, I have read the Commission with great attention. I refer to the mode in which the Commission was framed.

3891. That doubt arises from this; in the preamble of the commission he is mentioned by name and as Lord High Chancellor, and then, afterwards, in specifying the quorum, it is stated that our Lord Chancellor shall be one of them?—He is mentioned first as "Our right trusty and well-beloved counsellor, Henry Lord Brougham and Vaux, our Chancellor of Great Britain;" and in all the quorum clauses as "Our said Chancellor of Great Britain;" if therefore he was appointed as Lord Brougham and Vaux, he would have been described by that title, and not as "our said Chancellor of Great Britain," throughout the Commission.

3892. Sir *Matthew W. Ridley.*] If Lord Brougham had been replaced by another chancellor, you think he would not be a Commissioner *quasi* Lord Chancellor?—That would be a nice point.

3893. Sir *Robert H. Inglis.*] Does the construction you have put upon the legal effect of the present Commission, dated 12th March, 1831, proceed so far as to exclude Henry Lord Brougham and Vaux from being a member of the Commission altogether, or from being one of the quorum Commissioners?—My opinion is, and it is a mere matter of opinion, that it is very doubtful whether Lord Brougham is a commissioner at all.

3894. *Chairman.*] Your doubt is whether, at the present moment, Lord Brougham or Lord Cottenham, the present Lord Chancellor, are Commissioners?—My impression is that Lord Brougham is not a Commissioner. Whether Lord Cottenham is one is another question.

3895. Sir *Robert H. Inglis.*] Can there be a doubt upon the second clause of the answer, whether Lord Cottenham be or be not a Commissioner, inasmuch as in the appointment of Commissioners Lord Cottenham's name does not occur at all, and in the appointment of quorum Commissioners reference is only made to the said Lord Chancellor?—I am aware of the difficulty; but the question is, whether Lord Brougham or the Lord Chancellor was in fact the person appointed.

3896. The question had reference to the second clause of the answer, that whatever might be the construction as applied to Henry Lord Brougham and Vaux, as Lord Chancellor, there can be no doubt as to Charles Christopher Lord Cottenham, whose name does not occur at all in the Commission, and whose office is only so far mentioned that in the quorum part of the Commission reference is made to the said Chancellor of Great Britain?—There is great force in that observation; but I repeat that I do not think that Lord Brougham is at present a member of the Commission.

3897. Would there be any difficulty in your mind, supposing the phrase in that part of the Commission where the Commissioners are named had been our right trusty and well-beloved councillor, Henry Lord Brougham and Vaux, (he being a member of the Privy Council) member of the Institute of France; if that had been the description by which he were designated, would that have removed the difficulty?—If he had been also designated as "our Lord High Chancellor," it would not have removed the doubt in my mind. You must explain any doubtful point in an instrument of that nature, by referring to other parts of it; and if in the parts where references are made to him as a quorum Commissioner, it had been, not "our said Chancellor of Great Britain," but the "said Henry Lord Brougham and Vaux," there would then have been no doubt whatever. This construction of the Commission is supported by finding all the other *ex-officio* Commissioners also mentioned, in the first instance, by their names as well as by their offices; but in all the quorum clauses, by their offices only; and also by the fact that every other quorum Commissioner is a member of the board merely in virtue of his office.

3898. Sir

3898. Sir *Matthew W. Ridley.*] Is not there a difference in the appointment of the Commissioners, which states the Commission to consist of the Lord Archbishop of Canterbury, Henry Lord Brougham and Vaux, our Lord High Chancellor, and William Lord Melbourne, our Secretary of State, for the Home Department for the time being?—It is only from the omission of the words "time being" in reference to the Lord Chancellor that any doubt arises.

3899. *Chairman.*] Your object is merely to impress upon the Committee that the Commission has been drawn up in such a way that that doubt exists?—Yes. I will now, with the permission of the Committee, resume my general statement: I was at once convinced that the new Commission did not contain the elements of practical utility; that it would neither reform abuses nor repress the system of jobbing which had so long prevailed; and in fact that nothing would be done which ought to be done. This opinion was not concealed, but at the suggestion of Mr. Protheroe (who was the only member of the Commission in whose zeal and intentions I had any confidence) I refrained from publishing my opinion on the subject until the expiration of one year, that I might give them, as he observed, "the benefit of a fair trial." Some remarks in my "Observations on the State of Historical Literature" produced what was called a "Reply" from Sir Francis Palgrave, which imposed upon me the trouble and expense of publishing an elaborate "Refutation" of his statements (a copy of which I beg leave to hand to the Committee); because when my motives and assertions were impeached, it was no less necessary for my own character than material to the cause which I advocated, that I should prove the total want of justice in the charges which were brought against me; but I only advert to the controversy for the purpose of stating that no attempt was made to deny the existence of the abuses in the record system, which I had pointed out, or to justify them, and that I availed myself of that occasion to submit some additional facts respecting Record offices and the Record Commission, and printed the full and minute statements of the cost of each publication by the Record Commission which I had already sent to the Treasury. The public then learnt for the first time that between 1801 and 1829 the Commission had expended upwards of 335,000*l.*, independently of salaries to record keepers and their clerks, though the world too well knew that every defect in the system and all the abuses which rendered the national muniments almost sealed books, so far from being removed had only become more deeply rooted.

3900. *Chairman.*] Those salaries to the record keepers, of which this expenditure was formed, was expenditure incurred not by the Record Commission but by the country, in addition to the expense of the Record Commission?—Yes, certainly.

3901. That work was entitled a Letter to Lord Brougham?—No; I shall speak of that Letter hereafter. The work to which I am now alluding is the one which I have just handed to the Committee. Towards the Autumn of 1831 Mr. Cooper, the secretary to the Commission, with whom I was then wholly unacquainted, wrote to ask me a question respecting some statement in one of my works on the records, which led to a personal intercourse, and I became impressed with the idea that he was really actuated by an earnest desire to abolish those abuses of which I was known to be the opponent. He had at that time nearly printed his work on the public records, which was afterwards published at the expense of the Commission, wherein he had not only done me the favour to re-print many of my remarks on the subject, but had himself stated in his Preface, no less truly than emphatically, that the report on records in 1800 "exhibits evils to which the lapse of 30 years has only served to give a more luxuriant and a more vigorous growth, and even the ancient reports of 1719 and 1732 indicate many corrupt practices that still exist in despite of 'recommendations' and orders made and reiterated by committees and by boards, and with which, notwithstanding the long continued efforts of their predecessors, the present Commissioners are compelled now to grapple." He was, he said, convinced "that the general materials for the history of this country lie buried in the sepulchral vaults and chambers of the Tower, the Chapter House, the Pipe Office and the Rolls Chapel; that the dark cloud that has so long rested upon those repositories conceals the origin and early progress of our judicial institutions and our Parliament." He was then of opinion that "early measures should be taken for carrying into effect the recommendation so often, and hitherto so uselessly made, for the demolition of the barrier which the necessities or the

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avarice of the keepers or their clerks has interposed between the records and the public." That "the arrangement of records, the compilation of calendars, the investigation of the duties and emoluments of the officers and the reform of some notorious but deeply rooted abuses constitute the great and primary object of the Commission," and that "the printing of certain of the more ancient and valuable amongst the records is enjoined only as a secondary work."

It was obvious that Mr. Cooper's qualification for his office chiefly consisted in his zeal and intentions, for of records and the nature of the alterations which were necessary, he was then uninformed. Of the system of heavy fees and other impediments to the public muniments being freely accessible to the public, he was the constant antagonist; and for nearly a year after our acquaintance we rarely differed with respect to the nature or extent of the measures which the public service and the fulfilment of the duties of the Commission alike required.

I considered it right on public grounds to afford every aid in my power to Mr. Cooper, and nearly my whole time was placed at his disposal. He willingly availed himself of my assistance and adopted nearly all my suggestions, and we co-operated with zeal and cordiality for several months. During that time he consulted me on every occasion and placed in me a confidence which I am not disposed to betray. Without however committing any breach of that confidence I may observe that there was no opinion in which we more completely agreed than that the Commission was radically defective in its constitution, and that it was utterly impossible it could ever effect the objects for which it was instituted; and he entirely concurred with me in disapproving of the practice of allowing one of the Sub-Commissioners to print a work upon his own plan and his own terms, when it could be proved that the plan itself was extravagant and that the expense might have been reduced by three-fourths of the cost which it occasioned the public, the expense of producing it being nearly one-half of the whole sum voted by Parliament for the better preservation and arrangement of all the records in the kingdom. The secretary's first effort was very properly directed to relieve the resources of the Commission from this exorbitant and unnecessary charge, but his exertions were so vigorously opposed by five or six of the Commissioners that he repeatedly stated his determination either to perform his duty by carrying his plans into effect or to resign his situation.

3902. *Chairman.*] What Sub-Commissioner was this?—The editor of the Parliamentary Writs, Sir Francis Palgrave; the first effort was to prove that this book might be edited at one-third of the cost.

3903. What was the proportion of the funds of the Commission applicable to printing which you say that one work embraced?—Four thousand pounds, out of 10,000*l.*; so that after allowing for the salary of the secretary and for other incidental expenses that work would have taken nearly one-half of the parliamentary grant; and the intention of incurring that expense was, in my opinion, strong evidence of the inefficiency of the Commission. Of Mr. Cooper's intention to resign in case he failed in effecting what we considered necessary, I warmly approved, because I felt assured that if he resigned and publicly stated the reason, the Government could not possibly allow the Commission to exist, and therefore that the appointment of an efficient board and the necessary reforms in the whole record system might once more be hoped for. With the view of strengthening Mr. Cooper's position and bringing the real merits of the question respecting the work alluded to before the Commissioners, a pamphlet containing a statement of facts was written in Mr. Cooper's name, in April 1832, but it produced little or no effect upon such of the Commissioners as considered the edition of the "Parliamentary Writs" upon its original plan and at its original enormous cost a much more important object than a change in the system of fees, the regulations of Record offices and the other inconveniences which debar the Crown and the public from the free use of their own property. To that statement an answer was printed by the individual whom it concerned, which produced another pamphlet in reply, also written in Mr. Cooper's name, together with two others, the one by the Bishop of Llandaff, the other by Mr. Protheroe, both Commissioners; so that no less than four pamphlets which, though written gratuitously, were all printed at the public expense, were necessary to convince the majority of the Commissioners, who were in the habit of attending the boards, of the impropriety of arrangements, of which they ought to have been aware, within a week of their appointment to their situation. Still, however, the Commissioners alluded to only admitted the propriety of a new inquiry, and finding

that it was impossible for Mr. Cooper to overcome the resistance which he met with, that the real objects of the Commission were to be sacrificed to the support of what we both considered a job, and that there was no hope of any benefit resulting from it, we agreed that I should once more appeal to the public, but in my own name. Though the secretary wished me to confine my remarks to that particular matter, it in truth occupied the least part of my attention, except so far as it showed the unfitness of the majority of those Commissioners who took an active part in the business of the board.

3904. Sir *Robert H. Inglis.*] You have referred to the names of certain Commissioners who preferred the continuation of the publication, commenced and then in progress, entitled "Parliamentary Writs," by Mr. now Sir Francis Palgrave, can you state to the Committee the names of those Commissioners?—The names of the Commissioners who recommended this measure were the Right honourable Charles Watkin Williams Wynn, Mr. Allen, Sir James Macintosh, (who, by the by, did not attend the Committee), Mr. Hallam and Sir Robert Harry Inglis.

3905. When you state that Sir James Macintosh did not attend the sub-committee, the report of which you have just stated, was subscribed with his name, will you also state whether Sir James Macintosh did not address to them a letter detailing his opinion, and whether such letter be not printed in the report to which you have now drawn the attention of the Committee?—He wrote a very strong letter in favour of the work.

3906. Therefore the fact of his not having attended the committee being explained in that letter, does not derogate from the authority derived from the proceedings of the committee, to which proceedings he had given his signature and sanction?—The committee of record Commissioners of course attached whatever weight they thought proper to Sir James Macintosh's letter. It was for him to judge of the propriety or impropriety of signing the report of a committee which he did not attend. I only state the fact; but if I am asked whether I attach the same weight to his opinion that I might have done if he had attended the committee, I should say, decidedly not.

I was desirous of bringing before the Government and the public irrefragable evidence of defects in every part of the Commission, in its constitution as well as its conduct, not only in sanctioning unnecessary expense, but in neglecting all the great public objects for which it was appointed. I also felt it to be my duty to show, among other things which ought not to be permitted, that the secretary was compelled to exercise powers which exclusively belonged to the board. The pamphlet in question, which appeared towards the end of July 1832, was addressed to the Lord Chancellor, as the head of the Commission, and I beg leave to hand a copy of it to the Committee [*Delivering in the same*]. It is therein contended that the mistake of appointing as commissioners high official functionaries, whose time was occupied by more important duties, instead of practical persons who had shown their fitness, as well as their zeal to reform the abuses, which it was appointed to correct, ought to have been discovered at the sacrifice of half a million of money. The letter then pointed out the misconduct of the board in voting 500 *l.* per annum to the secretary to the former Commission (though he then held two other sinecure appointments), to whom many of the malversations which it authorized may be attributed; in sanctioning the report of two of its committees, the one on the duties and remuneration of sub-commissioners, the other on the "Parliamentary Writs," which reports betrayed singular ignorance of material facts, and actually recommended that the printing of the edition of the Parliamentary Writs should be continued on the same extravagant plan, and at the same extravagant rate, involving nearly one half of the entire parliamentary grant. It was shown that during the year and a half, which had then elapsed since the formation of the board, nothing whatever had been done, except the suspension of some of the works in progress; that the contents of the offices were in the same disgraceful state, that the same impediments to access existed, and that the public were still plundered by the same fees; and I ventured to predict that the records and abuses would remain in the same state so long as the present Commission existed. It was further represented that under that Commission no secretary could properly perform his duty, for he must either assume too much discretionary power or often leave things to take their course; that though it had hitherto been usual for that officer to exercise great discretionary powers, those powers were not conferred by the Commission, and were therefore a usurpation; that being merely a minis-

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terial officer he ought not to perform even the most trifling act in the name of the board, without its express sanction; and that with the secretary in fact almost every thing had originated, and on him the entire responsibility, not merely of business, but of payments also had rested. The error respecting the financial arrangements of the Commission in allowing the secretary to receive the parliamentary grant, and to make every payment, instead of the orders for disbursements being signed by the board, which has only recently, after the expiration of five years, been corrected, was then brought to the notice of the head of the Commission. It was said that the secretary was in fact the treasurer of the Commission; that from the moment the parliamentary grant was paid, it was intrusted to him, and instead of the signature of one or more Commissioners being necessary to the drafts on the bankers of the Commission, the secretary alone signed them; that although the high character of the then existing secretary might be sufficient guarantee against an improper appropriation of the money, that the system was nevertheless dangerous and improper, and ought not to be sanctioned. My present object is to show what my opinion was at the time that pamphlet was published; and I beg leave to add that it is still the same. I sent a copy of the "Letter to Lord Brougham" to Mr. George Lamb as soon as it appeared, and reminded him of the contents of his former note respecting the Commission. His reply is useful, as it shows on whom the responsibility of forming the present Commission rests:

"Sir, Home Office, Saturday, 26 July 1832.

I have the honour to acknowledge the receipt of your note and of a pamphlet accompanying it. The Record Commission was formed under the superintendence of the Lord Chancellor who is at the head of it.

I shall peruse your letter with attention at the earliest moment of leisure.

I have the honour to be, Sir,
Your obedient servant,

Sir N. Harris Nicolas, Knt. *G. Lamb.*"

After nearly four years it might reasonably be expected that much of what is stated in that pamphlet, as well as in my previous publications on the Records, would be inapplicable to existing circumstances. I lament, however, to add that time has only proved the correctness of my statements and opinions, and that it has produced no other change than to show that the encomiums which I then passed on the conduct of the secretary to the present Commission are no longer merited. All the abuses in the condition and regulations of Record offices still subsist, and the money granted by Parliament continues to be diverted from its legitimate purpose to the publication (in many instances) of unconnected and unimportant documents, or to forming collections of papers from foreign countries at a heavy expense, many of which are actually on record in our own archives. Finding that Mr. Cooper did not attend any longer to my remonstrances, and thinking that he was deviating from what he had himself admitted to be his proper course, I ceased to have any further correspondence with him on the general business of the Commission. I had exhausted the subject in my publications, and could not afford to make any further pecuniary sacrifices by calling attention to it through the press. The Committee will do me the justice to remember that, besides repeated allusions to the state of the public records in various works as early as 1827, I have published *three* pamphlets addressed to Ministers of the Crown; that I have *four* times specifically, and in my own name, solicited the attention of the government to the subject,—twice under the tories, and twice under the whigs,—that I have made a heavy sacrifice of time, labour and money, and have exposed myself to the misrepresentations and calumnies of all who were interested in the existing system; and that I gratuitously afforded every assistance in my power to the secretary to the Commission so long as he adhered to the line of conduct to which he had originally pledged himself. Under these circumstances, it is not surprising that I should have become disgusted and disheartened; but I did not despair. I was persuaded that sooner or later the proceedings of the Commission and the state of the Public Records must become the subject of Parliamentary inquiry; and I felt equally certain that such an investigation would inevitably lead to the abolition of the present Commission, and to a totally different system in keeping the legal and historical muniments of the kingdom.

3907. *Chairman.*] One of your objects in making this statement is, I presume

presume, to show the great difficulties which have existed in the way of effecting the reforms you have been constantly pressing?—Yes.

3908. You state that before the present Commission was formed, you hoped that its formation would lead to reforms?—Yes.

3909. You state also, I think, that, from the nature of its formation, you consider it to have had the same inherent defects as the previously existing Commission?—Precisely the same defects.

3910. Is it your opinion that the Commission has effected those reforms which remained for it to effect, and which it was in the contemplation of those who originated it that it should effect?—I do not know one single reform of any kind or sort that the Commission has effected.

3911. In your letter to Lord Melbourne, you complain of the state of the repositories in which the records were kept, and the difficulty of access to them, and the danger to the security of the records; has any thing been done by the Commission, to your knowledge, to remedy that evil?—Not that I am aware of.

3912. Has any thing been done by the Commission to remedy those defects of arrangement of which you have complained?—I have only heard of certain things being done at the Augmentation Office; I have heard of no other.

3913. But generally?—Not to my knowledge. I ought also to state that I do not think this Commission can possibly effect any thing of real importance, because it has not the necessary powers. Any effectual reform must, in my opinion, proceed upon the plan of appointing a Commission, not consisting of a body of twenty-five persons, chiefly selected from among the highest functionaries of the state, but, like all Commissions from which services are really expected, namely, by appointing a few able and efficient individuals, and by paying them for their labours.

3914. Do you not think that the Commissioners ought to have larger powers of interference in the record offices than they have at present?—I do not think it possible for a Commission to perform its duty properly, without a specific Act of Parliament giving it the necessary powers.

3915. You are aware that at present the powers of the Commissioners are disputed, and that the keepers of records are not sufficiently under their control?—Yes. They have no power whatever over many of the keepers of records, who may, in my opinion, shut the doors of the offices in the Commissioners' faces if they please. They have vested interests which the Commissioners cannot interfere with.

3916. Did you not think the abuses and fees you pointed out in your first pamphlet were exceedingly grievous and prejudicial?—They were not only grievous and prejudicial then, but I hold in my hand proof that they are so still. I have been engaged for some time as counsel in the claims to the baronies of Vaux and Braye. I hoped to bring with me the charges made for records in both these cases; but I have to-day only the bills in the Braye case, a few extracts from which will show the correctness of all the statements which I brought to the notice of Government ten years ago. The first is a bill for making searches at the Rolls Chapel, and bringing down the documents necessary to be produced in evidence: "Copy Inquisition P. M. Edm. Ld. Braye Ex. 32 Hen. 8. n. 25, 2*l.* 2*s.* 6*d.*; Searching for Inq. P. M. John Ld. Braye 2 & 3 p. & m. to end, not found, 4*s.*; Copy Inq. P. M. Rad. Verney Ex. 38 Hen. n. 2, 5*l.* 8*s.* 4*d.*; Copy Inq. P. M. Edm. Verney Ex. 42 Eliz. p. 2. n. 126, 5*l.* 19*s.* 2*d.*" Then comes certain sums of six, seven, or eight shillings, for searching calendars for a few years for other documents; then, "A copy of another Inquisition P. M. Edmond Verney, 5*l.* 18*s.* 10*d.*; Searching through the Patent Rolls and Bundles of Privy Seals, &c. from 19 to 26 Henry 8, both inclusive, and also Chancellor's Rolls, Hen. 8, for creation of Baron Bray, not found, 13*l.* 13*s.*; Re-examining the several copies and fees, 10*l.* 17*s.* 6*d.*; Preparing Petition to the Master of the Rolls for leave to carry out Records, and paid Order 13*s.* 8*d.*;" so that no record can be taken out of the roll without a fee being demanded for a petition to the master. "Attending the House of Lords with 11 Records, 11*l.* 11*s.*"

3917. That is a guinea for each record?—Yes.

3918. The same person carried down the eleven?—Yes.

3919. He had a guinea for each record?—Yes, 11 small rolls, "the like 11 guineas," again "the like 11 guineas," and again "the like 11 guineas."

3920. Mr. *C. Villiers.*] The same records?—Yes; they were not produced the day they were first brought down.

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3921. *Chairman.*] Have you any more items of the same kind?—No.

3922. This is 44 guineas for one man carrying down 11 small bundles of records on four days?—Yes.

3923. Sir *Robert H. Inglis.*] Do those fees go to the profit of the individual clerk who produces them at the bar of the House of Lords, or do they go to a fee fund out of which he and others may be remunerated?—No; these fees go to the keeper of the records in the Rolls Chapel, who has no salary and who is only remunerated by fees. The whole amount of fees for searches at and producing records from the Rolls Chapel, in the claim to the Barony of Braye, is 110*l.*

3924. The amount was discharged by the individual for whose benefit the search was made?—They were paid by an individual seeking to establish a right of inheritance.

3925. You would prefer that the expense of producing legal evidence to establish the right of A. B. to an estate of inheritance, should be defrayed by a salary paid out of the Consolidated Fund rather than by a charge upon the individual himself?—By no means.

3926. By what means would you propose that the salaries of individual keepers, now paid by fees, should be paid?—I would have all the officers of public records paid liberal, but not extravagant salaries. When their services were necessary for the production of records in a court of justice, a small fee compared with the present should be paid by the claimants to them; but such fees as those which I have just mentioned would, in the case of a poor man, amount in effect to an absolute denial of justice.

3927. The case in issue was the case of A. B. claiming a barony?—Yes.

3928. Is that the ordinary object for which such documents are required?—Not necessarily; some of them might be required to establish a right to an estate of lands.

3929. *Chairman.*] Or to establish a right to a very small estate?—Yes.

3930. Sir *Robert H. Inglis.*] The production of the document in question would not be required before any other tribunal than the House of Lords?—Attested copies of most of them would be required in any court of law.

3931. Ordinarily the inferior courts are content with attested copies?—Yes.

3932. And the House of Lords is the only court which, as an absolute rule, requires the production of the original document in the custody of its authorized keeper?—Yes, as a general rule of practice; but an individual is required to produce original Wills, in support of a claim to real property, in other courts.

3933. *Chairman.*] What might be the price of an attested copy?—I am not able to state from memory the cost of copies at every record office, but I believe it is 1*s.* a folio in the Tower, and from 1*s.* 3*d.* to 1*s.* 6*d.* in other offices.

3934. Mr. *Charles Villiers.*] Do you speak generally that the inferior courts are satisfied with authenticated copies?—I believe as a general rule they will receive attested copies; but instances occur in which it would be necessary to produce the original, as in the case of Wills.

3935. *Chairman.*] What would you have had to pay for a copy of those documents?—I do not know how many folios they extend to.

3936. Would not the expense of attested copies have been greater than those fees charged for taking them down?—No, but it would have been very heavy.

3937. It being in the power of the court to admit the original, which can be brought down with so little trouble and with no hazard, would it not greatly save expense to litigating parties if the original was brought down upon the payment of a small fee?—No doubt can exist as to the advantage of producing the original in all cases.

3938. If more moderate fees were taken the parties would have better evidence to produce?—Yes.

3939. Sir *Charles Lemon.*] When the original documents are produced, is it not necessary for the convenience of counsel that attested copies should also be made?—Yes; but copies made by a law stationer from an attested copy would do for the use of counsel.

3940. *Chairman.*] For the convenience of the counsel and agents you would only extract a very small portion?—In many cases, certainly; but in either House of Parliament you must deliver in a verbatim et literatim copy.

3941. Sir *Matthew W. Ridley.*] Is it your opinion that the fees charged, to which you have alluded in the case of the Braye Peerage, are more than the trouble actually

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actually required?—Yes; two guineas a day for the attendance of the officer who brings the records would be an ample fee, and this I find is the charge of the herald for his attendance. The abuse consists in charging a guinea for the production of every separate record, without reference to the number which one person may bring with him, or to the number of days on which it may be necessary to bring them, before the opportunity occurs for putting them in evidence. In claims to Peerages the same records are sometimes brought down to the House of Lords four or five days before they are wanted. I have also the bill in the Braye case for bringing Wills from Doctors' Commons, where the same system prevails of charging one guinea for each Will. The following are among the items; "attending to be sworn, one guinea; attending in the House of Lords with the following Wills, amounting in all to nineteen, 23 *l.* 5 *s.*; second day's attendance with many of the same documents, 13 *l.* 5 *s.*; third day's attendance with most of the same documents, 11 *l.* 13 *s.*"

3942. Sir *Robert H. Inglis.*] Can you state to the Committee on what principle this graduation has been adopted?—Yes. "Fourth day's attendance, the same documents as on the third day, 11 *l.* 13 *s.*; coach hire, 1 *l.* 8 *s.*;" then, "looking up 17 original wills, 7 *s.*; total, 63 *l.* 2 *s.*" The difference in the charge between the first and subsequent days' attendance arose from some of the documents having been used on the first day, and a few others on the second and third days. The Herald's college appears to adopt the same principle of charging one guinea for every record used, as the fee to that office, for six books is six guineas, besides the fee of two guineas a day for the attendance of the herald who produced them.

3943. *Chairman.*] Can you tell us generally whether the similar expenses in the Vaux case, amounted to the same proportional charge?—I have not alluded to the Vaux case as I shall have an opportunity of exhibiting the bills to the Committee. They are very remarkable as there were two parties who were interested in establishing the same fact, and who required many of the same documents, and they were both put to the same expense.

3944. Sir *Robert H. Inglis.*] Do you mean the identical documents or similar documents?—I mean many of the identical documents.

3945. *Chairman.*] You have instanced some very remarkable cases in your first pamphlet, of the exorbitant amount of fees in cases in courts of law; do you know whether the same fees exist at present?—I believe no alterations whatever have taken place.

3946. Do you not think the demand of such fees a most serious obstruction to the administration of justice?—I think it a scandalous abuse.

3947. Mr. *C. Villiers.*] It is not an abuse, they have a right to take the fees?—It is not, strictly speaking, an abuse, because it is authorized by law; what I mean is that it is a public evil, which ought long since to have been rescinded.

3948. *Chairman.*] You mean by using the term abuse, that you think it an act of misconduct on the part of the government of the country towards the individuals who apply to it for a pure administration of justice?—Just so.

3949. You have expressed an opinion in one of your works that you think facilitating the access of the public to these records, should have been the first object of the Commission, and that it was prior to that of printing any curious documents that it might be thought advisable to print?—I am of that opinion.

3950. Do you not think if the public records of the country were thrown open to the public, if they were well arranged and well preserved, and easy access afforded to them without the obstacles of fees, and easy means of obtaining information as to their contents afforded by good calendars and indexes, that literary men would have opportunities that would render great service to history by printing on their own responsibility and at their own hazard, much valuable historical information now lying hidden?—Something undoubtedly would be done, but I am decidedly of opinion, after many years' experience, that it is utterly hopeless to look to individuals, in the present state of the literature of this country, for the publication of historical documents, and that it can only be done by Government.

3951. Sir *Robert H. Inglis.*] That their funds are not sufficient?—It is ruinous to any one who attempts it.

3952. *Chairman.*] Do you not think that much valuable information might be obtained from them?—Yes, any person engaged in an historical work upon

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England or Scotland would gladly avail himself of the information; and a few individuals seeking literary fame, rather than living by literature as a profession, would gladly do so, and great advantage would arise.

3953. Do you not think by the labours of those literary men searching among the records, that extracts might be made very interesting to the public, and direct their attention to such documents?—Yes, certainly.

3954. You are acquainted with Sir Henry Ellis's work?—Yes.

3955. Are you acquainted with Van Raumer's letters of the 16th and 17th centuries?—Yes, I am.

3956. Do you know that the plan pursued by him is similar to the plan that was pursued by Sir Henry Ellis, that of searching among the ancient records in Van Raumer's case in foreign countries as well as in England, and that those individuals found it worth their while as a private speculation to print the most valuable information derived from those records?—They have printed valuable information from the British Museum, and if other sources had been open to them they might have searched and found much more.

3957. Do you not think much valuable information would be afforded to the public in that way, if our record offices were as open as the British Museum is?—No doubt if the record offices were as open, and as well arranged as the British Museum much information might be afforded, but in the present state of literature I have little hope of much historical information being given to the world by the exertions of individuals unaided by the Government.

3958. Sir *Robert H. Inglis.*] You mean the printing and publishing of detached works from original materials?—Yes; or any work of an historical character; the dearth of demand for works of that class at this moment, to use a mercantile phrase, makes it utterly hopeless.

3959. *Chairman.*] Have not those books I have mentioned, the translation of Van Raumer as well as Sir Henry Ellis's work had a remunerating sale?—I believe Van Raumer's work has, but I should not call that work an historical book of great value. It is the work of a learned individual, who has read a variety of manuscripts, and selected the most striking and curious facts which he has thrown together in a very agreeable manner, but I do not consider it a standard historical work.

3960. Do you not think that a work of that kind is very useful in directing the attention of the public to those quarters from which valuable information may be gained?—Yes, and also in exciting a taste for history.

3961. Do you not think that the publication of similar works would tend to create a taste for historical literature?—Yes.

3962. And that it would be aided by throwing open the record offices?—Yes.

3963. Your remark applied to the publication of authentic records, without selecting those parts most interesting?—My remark applies to the publication of standard historical works of any kind, whether of the raw materials or worked up; and I believe I am borne out by the fact that the sale of Mr. Hallan's Constitutional History, did little more than pay its expenses.

3964. Sir *Robert H. Inglis.*] Do you consider that the dearth of demand for all standard historical works has arisen in any degree from the present system of publishing in a small and popular form works on the same subject, such for instance as the histories in the Cabinet Library and Family Library?—I believe there never was at any period a great demand for works containing the materials for history, such as state papers, letters, &c., and that they were generally produced by persons who sought literary fame rather than profit, at a time when the expense of advertising and of publication was considerably less than now; but I am of opinion that a taste for historical literature has been lessened by the superior class of novels which have of late years almost superseded other works. Be the cause however what it may, it is hopeless to attempt to induce any publisher at this moment to print a work containing materials for history.

3965. Are you aware of the encouragement received by the late Sir James Macintosh in respect to his History of England?—No, I am not; but Sir James Macintosh brought to it considerable political reputation. I will, if the Committee will allow me, state one instance of the difficulty of printing historical works. A few years ago I found in the library of the Ashmolean Museum a small manuscript containing the Journal of the Embassy of Thomas Beckington, who was afterwards Bishop of Bath, to the Count of Armagnac in the reign of

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King Henry the Sixth, to negotiate a marriage between the King and one of the Count's daughters. It was partly in English, and abounded in very curious details, illustrative of the manners, customs and state of the arts at the period, and threw much light on English and French history. I determined to try the experiment, whether any publisher would print it, and accordingly offered it to most of the publishers of eminence in London, but every one of them refused to risk the cost of print and paper, though it would only make a small octavo volume, and I was therefore obliged to publish it at my own expense. I may also add, that there is scarcely an historical work which I have printed which has not been attended with considerable loss.

3966. Mr. *Pusey.*] Are you of opinion we have at present no accurate and complete history of this country?—I am of opinion that we have no History of England deserving of the name.

3967. What are the defects you find in the existing histories?—That they are not sufficiently accurate, and that facts of great interest and importance are often passed over, or related in a very unsatisfactory and imperfect manner. In proof of this I must add, that I have rarely investigated any point of history with the aid of original documents, that I did not find omissions, or serious errors in all our historians, who have too often perpetuated the errors of their predecessors instead of consulting original, and still less inedited authorities.

3968. Are you of opinion that if a person of competent talent and character were found to write a history of this country, that materials for that history are at present sufficiently accessible to enable him to carry it into execution?—I am of opinion that it would be very unwise for any person to attempt to write a history of England until an efficient Commission on the Public Records had been in operation for four or five years.

3969. In what way would such a Record Commission prepare the materials?—They would ascertain first what documents are in existence, and then render them perfectly available to literary men, by arranging and placing them in one building, and by causing full calendars or catalogues to be prepared.

3970. Do you not think that the publication of such a work as that entitled "The Materials for the History of Great Britain," would be essential for the publication of a good history?—Yes, undoubtedly; opening the offices and arranging their contents is the first measure, but this ought to be followed up, and vigorously followed up, by the publication of historical materials.

3971. Are you aware of what has been done in other countries by their governments to assist in such publications?—Not in any particular instance. I know, however, that in every other country the government affords considerable assistance to literature, and that all the honours and many of the offices of the state are open to literary and scientific men. Here there is unfortunately but slight encouragement for intellectual exertion in the fields of science or literature. Novelists, indeed, and those who amuse the public will be rewarded by the public, but those who endeavour to extend the boundaries of knowledge are in a very different situation.

3972. Mr. *Hawes.*] You would think it one of the first duties of a Record Commission to publish a classified account of the materials that do exist in the record offices?—Yes, and then arrange them, and allow the public the fullest possible access to them consistent with their safety, as in the British Museum.

3973. Sir *Robert H. Inglis.*] You have referred to a large building in which the records of the different record depositories might be brought together, would you propose that the legal and historical materials should be united in one and the same building, or would you appropriate the proposed building to the reception of the legal documents now dispersed throughout London, and transfer the historical materials to some other—say the British Museum?—There would be considerable difficulty in many instances in distinguishing between a legal and an historical document—the Close Rolls for example are equally valuable for legal and for historical purposes; but there are, no doubt, a number of papers which are strictly historical, and it is of very little consequence where they are placed, provided they were well arranged and easily accessible. I see no objection to sending them to the British Museum or to the State Paper Office if some alteration were made in the Law of Evidence, so that they should not lose their legal authenticity by the transition. A letter is, in some cases, in the State Paper

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Office, and the answer is in the British Museum, which is absurd enough; but when it is recollected that the one is evidence which may be used in any Court of Law, and that the other is not admissible, the absurdity is still greater.

3974. Mr. *Pusey.*] Are you not of opinion, however well the records might be arranged, and however accessible they might be rendered to literary persons, still a considerable amount of printing would be necessary, in order to give adequate facilities for writing a history of this country?—The arrangement first spoken of is absolutely necessary; and it would afterwards be desirable to print as many of the more valuable documents as the liberality of Government would permit.

3975. Supposing an efficient plan was set on foot to arrange the records, would it be possible to commence printing at the same time?—Yes. If you take a series of documents, such as the Close or Patent, or French or Gascon Rolls, you may print as rapidly as you please, without the fear of omitting any thing which ought to be inserted, and which might afterwards be brought to light.

3976. Might not the work entitled Materials for the History of Britain be continued while the operation of arranging was going on?—Yes, considerable progress might be made.

3977. If conducted upon the plan of Muratori, the discovery of an unpublished chronicle at any more distant period could not affect the value of the volume previously published?—No; and to show the necessity of printing inedited historical manuscripts I need only remind the Committee that important documents of the reign of King Henry the Fifth and Sixth, including the most valuable contemporary chronicle of the time of the former prince, are not only still unpublished, but, comparatively speaking, they are little known to historians. Even the Privy Council books of that period have not been consulted by historians, though they have been accessible to them for upwards of a century.

3978. *Chairman.*] Do you not think with the present defective mode of arrangement all the printing is carried on with the greatest hazard, that the next day an accidental discovery may prove that the work has been very incomplete?—Not all the printing. If you take a perfect series, for example, the Patent Rolls or Close Rolls you have no hazard; but if you make a collection there is that hazard.

3979. Mr. *Pusey.*] Are there any other difficulties connected with public documents that you can mention as impediments to the execution of a correct and complete history of this country?—From the time of King Henry the Eighth the most valuable documents are in the State Paper Office, and these documents are not accessible without a written order from the Secretary of State; and to show the total want of system which has prevailed, I will mention the following circumstance. Until the Commission was issued for printing some of the more valuable documents in the State Paper Office, access to it was rarely or never refused, but when that Commission was appointed it was no longer permitted to copy any document in that repository, on the absurd ground, that "such document might possibly form part of a selection of State Papers then preparing for publication, and ought not to meet the public eye in the meantime." I have understood that such was the answer which was given to the Duke of Bedford; but this ridiculous restriction is not, I believe, now in force. I ought however to add that the Government has really desired to render the public records and historical manuscripts as available as possible, and that it has only failed to do so from ignorance of the proper means of accomplishing the object it had in view. It has been liberal almost to prodigality, for it has spent more than half a million of money in the attempt.

3980. *Chairman.*] Have you seen the works that have been printed by the present Commission?—Only casually. The reason why I have not paid the same attention to them as to the former works, is this, that I became so disheartened by the failure of my efforts to produce the reforms which the Commission ought to have effected, that I have endeavoured to withdraw my thoughts from the subject. I had, in fact, wasted so much time and money, and had been so seriously injured in my own interests by my exertions, that I determined to do nothing more until a Parliamentary inquiry took place.

3981. Can you say generally, without going into minute criticism, whether you think the three Commissions since 1800 have been judicious in the selection of

of the works that they have published?—That is a question of comparison; judicious in reference to what they have left undone?

3982. Yes?—I do not think they have acted judiciously. They have committed two faults; the one in leaving unpublished a great deal which they ought to have printed in preference to what they have given to the world; the other, in having printed the imperfect calendars which happened to exist in the different offices, such as the calendar to the Patent Rolls, which does not contain a reference to more than one fifth part of the entries on the rolls, and the calendar to the Inquisitiones Post Mortem, which does not state whether the lands that are mentioned did or did not belong to the individual who died, omits the information for which those records are generally consulted; viz. the name of the heir of the party on whose death the inquisition was taken.

3983. Those are works published by the former Commission?—Yes.

3984. Do you think that under the system by which the Commissions have been conducted it was possible for them to secure the greatest available talent and the greatest accuracy in the editing of those works?—I do not believe that they ever looked for it. It was left to the secretary to nominate whom he pleased; he generally fixed himself on the work as "co-editor," with two or more colleagues, who were paid separately as transcribers, collaters, revisers, and correctors of the press and index makers, &c., most of which duties are generally performed by an editor. This division of literary labour is, I believe, unknown except in the Record Commission. More pains seem to have been taken by the present Commission to obtain competent editors, and to publish useful documents; but it has made some fatal mistakes.

3985. Do you think that a commission, constituted as the present is, so numerous and unpaid, and composed of persons having such absorbing public functions as they have, can be qualified for the task of superintending, or properly providing for the superintendence of works, edited under their sanction?—I think it impossible.

3986. In what way do you think the Commission might be improved for the purpose of properly superintending the publication of works?—By having a commission formed liked the Board of Customs, Excise and Stamps, and indeed like any other board from which the Government really requires services; namely, of a few able persons, whom it remunerates with liberal salaries. Had such a Commission been appointed in 1801, it cannot be doubted that every thing which is requisite for improving the system of the public records would long ago have been accomplished, and that at least 200,000 *l.* would have been saved.

3987. Do you think if such a re-composition of the Commission was attempted, that any separation ought to be made between the business of keeping and arranging the records, and that of superintending the publications?—Certainly not. I see no reason why Government should pay two sets of Commissioners, when the qualifications necessary for the one duty are precisely those which are requisite for the other.

3988. Mr. *Pusey*.] Would not a considerable degree of legal knowledge be necessary for Commissioners practically employed in arranging the records?—Yes.

3989. Is it not possible that persons with historical talent might be found, who would be the best judges of the materials for history, and altogether unacquainted with law?—I consider extensive historical learning to be as necessary as legal knowledge to render a commission on the public records efficient; and consequently, if that board were to be properly constituted, it would be as competent to superintend the publication of historical works, as to arrange records.

Veneris, 13° *die Maii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert H. Inglis.
Sir Charles Lemon.	Sir Matthew White Ridley.
Mr. Pusey.	The Rt. Hon. C. W. Williams Wynn.
Dr. Bowring.	

MR. CHARLES BULLER, IN THE CHAIR.

Mr. *Henry Coode*, called in; and Examined.

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3990. *Chairman.*] ARE you a solicitor?—Yes, I am.

3991. I believe you are connected with the county of Cornwall?—Yes, I am.

3992. Have you had occasion, in suits relating to the county of Cornwall, to consult the records in the Duchy-office?—Frequently.

3993. How do you proceed when you want to consult the records there?—I have called at the Duchy-office, and frequently applied for leave to search the records; but I have been told that no search is allowed. I have at other times applied for the inspection of specific documents (they make a distinction between what they call public and private documents); I am then told that I must make an application in writing for anything I want to see, and probably it is four or five days before any answer is made to that application: those that they call public documents they will only allow me to inspect if I can point out the specific documents required; but to this moment I believe they are themselves undetermined what they call public documents and what they call private.

3994. Have you ever been able to make out what line of distinction they draw between them?—No, not at all.

3995. Do you think, from your experience, that a document that is unfavourable to the claims of the Duchy stands a great chance of being classed among private documents?—I have no doubt of it.

3996. And that that alone would be a circumstance that would make the Duchy think it ought to be kept very private?—I have no doubt of it.

3997. Do you yourself admit that any distinction ought to be drawn between public and private documents in the Duchy records?—It is only since I have received the summons I have turned my attention to it, and I think it right there should be a distinction in some cases.

3998. What distinction should you think it right to make?—I think that all documents of an ancient date, relating to the property in general, should be public documents. There are many cases where the Duchy still keeps the property in hand, as it were, and leases probably, and some documents of that sort, which I can conceive that they might properly refuse to allow the public inspection of.

3999. For what reason?—The reason I should give is, that it might affect the interests of lessees and private individuals.

4000. You do not think that the interests of the Duchy itself ought to form any bar to such individuals as are seeking to establish legal rights?—Certainly not. The property of the Duchy, so far as the Duchy is concerned, is quite of a different nature from that of private individuals: it is not liable to charges in the shape of portions by settlement or will. The property of the Duchy, whether by the original grant in the reign of Edward the 3d, or attached to it in the reign of Henry the 8th, must be essentially the same; it cannot be subject to the equitable claims that may arise upon the property of private individuals, with respect to the creation of terms to raise portions, or what not. How the real and just rights of the Duchy can be affected by allowing an inspection of their documents, I cannot conceive.

4001. You think the circumstances nothing; you have now drawn the line between the property of the Duchy and that of private individuals, whose property descends from one generation to another, and you think that for this reason the privacy which the law grants to a man's title-deeds of his own estate need not be extended to the title-deeds of the Duchy?—Certainly not.

4002. You

4002. You would only guard the privacy of the title-deeds of the Duchy where the interests of modern lessees are concerned?—Exactly so; there is no danger of working injustice to the Duchy, as in the case of private individuals: in the case of private individuals, there may be cases arise from the inspection of documents where injustice may be done; it is impossible that can arise in the case of the Duchy.

4003. Would you state the reasons?—The rights of the Duchy. Whatever is in the Duchy must have been in the Duchy in the reign of Henry the 8th: it cannot be charged with any incumbrances; whatever the rights were in the reign of Henry the 8th must be in the Duchy now, without any collateral charge: so that, I conceive, no injustice can work by allowing a public inspection of all their documents of that description. It would, within my own knowledge, if that public inspection was allowed, ascertain the rights of parties, prevent litigation, and save a great deal of expense.

4004. And all those unpleasant disclosures of family circumstances, which exist as a reason for privacy with regard to the title-deeds of an individual, of course cannot apply to the Duchy?—No.

4005. Your opinion is that the utmost publicity, with regard to the rights of the Duchy, so far from encouraging improper litigation, would prevent it?—Most effectually prevent it; parties who were aware of their rights would never spend their money in fruitless litigation.

4006. The suits respecting Duchy property are extremely long and expensive?—Yes.

4007. Do you know of any cases in which expense has been caused by parties prosecuting fruitless claims, which access to the documents of the Duchy would have induced them to waive?—I do not know that I can mention any instance; I have a case now where an information has been filed by the Duchy; I am informed that there is a plan of the property in the Duchy-office; I had previously applied for a plan of a similar description, and had been told it was a private document, and I think it fruitless to apply for it, but I think it would settle the question and save expense.

4008. According to the present plan, however important that document may be in settling the question, it can never be known till it is produced by the party adverse to you, the Duchy, in a court of law?—Exactly so.

4009. Sir *Robert H. Inglis.*] What is the distinction existing, in your mind between the rights of the Duchy, as adverse to your client, and the rights of the Duke of Devonshire or the Duke of Northumberland, as adverse to you in a particular cause, with reference to the claim which you might urge to the inspection of the document in the muniment-room of the one, or in the muniment-room of the other?—The difference I would draw between the documents of the Duke of Devonshire and the Duke of Cornwall is this, that the property of the Duke of Devonshire may be, and probably is, charged with portions and with terms to raise portions and legacies, given by will, and in the cases of terms the legal estate may now be outstanding; that cannot be the case with the Duke of Cornwall, the Duke of Cornwall has had no power of parting with the legal estate for any purpose, even to make a charge.

4010. Your answer is applied rather to the *inconveniences* which might arise from the publicity of muniments in the possession of the Duke of Devonshire, which inconveniences could not, in your judgment, accrue from the inspection of documents in the possession of the Duke of Cornwall; but the question put to you had reference to the *right* which you allege to exist on the part of any one to inspect the documents in the possession of the one land-owner or of the other land-owner;—looking at the *right* only?—Looking at the right, I do not know that I could define any difference in the right distinctly between the one and the other, except in this way; a great many of the manors of the Duchy of Cornwall have been sold under the Land Tax Redemption Act; in every case of sale, as required by the Land Tax Redemption Act, I am aware that the minerals have been reserved to the Duke of Cornwall; that is a totally different right, in my opinion, from the right of individuals to any species of property, namely, the right of the Duke of Cornwall to minerals. If, as respecting those manors sold under the Land Tax Redemption Act, they have anything like private documents, they ought to be given up to the purchasers; I should conceive the Duchy had no right to retain them.

4011. If the Duchy had any right to retain the title-deeds to which you refer,

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has not the purchaser the same means of compelling the production, as against the Duke of Cornwall, which he could sustain against the Duke of Devonshire?—I have seen some of the conveyances under the Land Tax Redemption Act; one I remember seeing of the manor of Tewington; there was no covenant for the production of title-deeds, and there might be a question as to the power of the purchaser to compel their production.

4012. Was not it in the discretion of the purchaser and vendor at the same time to insert such covenants for the production of the title-deeds, if they had been disposed to insert it?—I cannot answer that immediately; I think the form of conveyance by the Duke of Cornwall is annexed to the Act.

4013. In other words, no purchaser can be entrapped into a purchase by the Duke of Cornwall upon terms not open to his cognizance as a matter of record, by the Act of the Legislature?—Certainly.

4014. *Chairman.*] Do you not mean to have it understood by the Committee, that the Duke of Cornwall, in his transactions with individuals, is clothed with a character so far different from that of a private individual, such as the Duke of Devonshire, that those securities for the transfer or subsequent production of title-deeds, which are usually made between individuals, have not been made against him, and that having in that respect assumed a character quite different from that of a private individual, he is not to be regarded as the possessor of those estates in his individual capacity, but, in fact, that it is to be considered the property of a public body, and the title-deeds as the records of a public court?—Certainly; and I should have no objection to advise a client, who wished to purchase under the Land Tax Redemption Act, to rest perfectly satisfied with the title, without any abstract, which would be required in the case of the Duke of Devonshire, merely upon the public notoriety that this has, either from the reign of Edward the 3d or Henry the 8th, been in the hands of the Duke of Cornwall, and that he could not charge or encumber or part with the legal estate; and I should have no objection to recommend a client to accept the title, without any abstract.

4015. Sir *Robert H. Inglis.*] Does that answer apply to purchases made from His Majesty's Commissioners of Woods and Forests and Land Revenues?—I was never concerned in a case of sale by them.

4016. *Chairman.*] Such being the habit with regard to purchases from the Duke of Cornwall, the individual who has purchased, if a dispute should arise between him and the Duke of Cornwall with respect to the minerals, has not that ordinary protection which individuals have with regard to the production of title-deeds, unless they are to be considered as public records, produceable as other records of a court of justice are?—Yes, that is the case.

4017. Has not the Duke of Cornwall rights which no private individual has?—Certainly.

4018. Are not those rights sources of perpetual dispute and litigation?—Yes.

4019. The right to minerals, for instance?—Yes.

4020. Is not the possession of such peculiar rights, evidence in itself of such a public possession on the part of the Duke of Cornwall, as distinct from any property that individuals ever have in land, that that alone points out that it ought to be considered as public property, and not as the property of an individual?—I should conceive that that is plain.

4021. Sir *Robert H. Inglis.*] When you refer to the public rights of the Duke of Cornwall, do you trace them to the Crown as having them originally in possession, and eventually transferring them by charter to the Duke of Cornwall?—I should not refer to that fact as drawing a distinction of the peculiarities affecting the rights of the Duke of Cornwall, which were conferred by the charter of Edward the 3d; all the transactions relating to the Duke of Cornwall that could affect the rights of the Duchy, or the rights of individuals claiming under the Duchy, except modern leases, must be found in the Statute Book, and those are now well known, I believe, and have in all probability been since the reign of Edward the 3d, the peculiar rights referred to, which the Duke of Cornwall enjoys in minerals; there are many places in the County of Cornwall where a claim has been made, and sometimes admitted, to toll of tin arising from tin bounds over the property of other individuals; there is no trace how the property got vested in those individuals, but the right of the Duke of Cornwall to toll of tin is admitted.

4022. Sir *Charles Lemon.*] May it not happen that questions with respect to boundary may arise that may make it necessary to inspect those documents?—

Yes,

Yes, certainly, and to inspect ministers' accounts, which they are in doubt at this moment whether they will call public or private documents.

4023. Then, in fact, to a person in possession of property, by a conveyance from the duchy, it is a hardship that he has not the means of inspecting the more ancient muniments of the Duchy?—Yes, it is.

4024. There is on the part of the Duchy a recognized distinction between a public and a private document?—They recognize it; they allege the distinction, but I have never been able to ascertain what they call public, or what they call private.

4025. Are there any distinctions with regard to the legal qualities of those documents as evidence?—No; I am not aware that there is any distinction as to the legal quality; there is a great distinction as to the effect of some of them.

4026. *Chairman.*] Do you not think if such a distinction between public and private documents is allowed to exist, in justice to the public the distinction ought to be very strictly defined indeed; and that the public ought to know positively, from a list or catalogue, what documents are to be held as private, and what are to be thrown open as public?—Certainly.

4027. Sir *Robert H. Inglis.*] That is to say, that the public might have a list of those which are public, and not of those which are private?—Certainly not; I am not aware that there is any list of public documents in the possession of the Duchy, and till the report of the late case of *Rowe* v. *Brenton*, it was almost impossible to specify any particular document in the duchy, and now, in relation to other manors, it is impossible; unless I can go and point out and ask for a specific article, I go in the dark, upon a mere vague suspicion that such a document is there; I am told if I have made a mistake in the date, or of the year of the reign of any other monarch, there is no such document.

4028. That would be a correct answer, that you had made such a mistake?—Yes, it would be a correct answer, but an answer somewhat jesuitical.

4029. *Chairman.*] But as you had made the application from the best information you could get, it would be a denial of justice?—Yes.

4030. There is no catalogue open to you to give you that information?—No.

4031. Unless you know all the particulars of the deed you want, the Duchy gives you no assistance?—No.

4032. And that with regard to the public documents?—Yes.

4033. So that, practically upon these matters, the public, though theoretically allowed access to the public documents, is deprived of all those facilities of consulting them that would make them available?—They are deprived of that facility.

4034. Sir *Robert H. Inglis.*] By the public, are the Committee to understand that you mean private individuals interested in private suits?—Private individuals interested in property in the county of Cornwall.

4035. Have you any objection to state that you are the gentleman on behalf of whom Mr. Cole went to the Duchy office in the name of Mr. Trevannion?—Yes, he went at my request.

4036. By your authority?—Yes.

4037. On the authority of Mr. Trevannion also?—No; I had been concerned for Mr. Trevannion for some years, and having occasion to make some searches, acting under the authority, generally as solicitor for Mr. Trevannion, I did not think it necessary to apply for an authority for that purpose.

4038. Are you aware that Mr. Trevanion has denied that any authority was given by him for the use of his name?—I am aware that Mr. Trevannion has said he had given no specific instructions to that effect.

4039. *Chairman.*] Is it usual, in searching for records in other public offices, that there should be a direct authority from the party as well as his agent?—Certainly not; I should think I grossly neglected my duty to my client if I did not exercise a sound and safe discretion without applying to my principal for authority in every step I took.

4040. Sir *Robert H. Inglis.*] You were employed by Mr. Trevannion?—Yes.

4041. And recognized as such by the officers of the Duchy?—I was well known to them as having been the agent of Mr. Trevannion for many years.

4042. *Chairman.*] Mr. Cole applied, on your behalf, for an inspection of documents in the Duchy-office?—Yes.

4043. And it was refused, because he had not the authority of a gentleman in Cornwall?—Yes.

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4044. Sir *Robert H. Inglis.*] It being true that that gentleman had not given instructions to that effect?—Yes, it was so.

4045. *Chairman.*] Do the parties in a suit give instructions for every step taken in a suit?—No.

4046. Did you ever hear such a plea raised in a record-office for refusing the inspection of a document?—No.

4047. Do you think that justice could be done to any persons having anything to do with lands that were ever connected with the Duchy of Cornwall, if any plea of that kind was allowed to obstruct the search?—Certainly not; it often happens in the last stage of a cause that suspicion arises there is a document material to give in evidence. I have no time, no opportunity, to communicate with my client in Cornwall whether I shall get it or not, but if I did not get it I apprehend the courts in Westminster would hold me liable for neglecting my duty.

4048. Sir *Robert H. Inglis.*] Do you, or not, see a distinction between the general proposition in the question, and a search made in the name of a client, which was afterwards discountenanced by the client in his own name?—No, I do not.

4049. *Chairman.*] Have you any reason to suppose that the search was discountenanced?—No, not at all.

4050. Or that he disapproved of it?—No; all I have understood is, that he was asked whether he had given me instructions to have the search made, and he answered it, as any gentleman would, that he had not.

4051. Sir *Charles Lemon.*] That was after the refusal of the Duchy?—Yes.

4052. Sir *Robert H. Inglis.*] If that search had been made by A. B., or any other individual, would it have been in the course of the business of the Duchy to have granted or refused that search so sought?—I do not know, it depends upon themselves.

4053. *Chairman.*] Have you any further information to give to the Committee on the subject of the records of the Duchy of Cornwall?—No, I am not aware that anything else arises.

4054. Would you just re-state to the Committee what period, in general, it takes to procure a document from the Duchy of Cornwall?—There has been a difference in answering applications; I think I may say the average is four or five days.

4055. Sometimes longer?—I cannot state specifically; I think upon one occasion I have had an answer in a shorter time.

4056. Sir *Robert H. Inglis.*] As I was absent at the earlier part of your examination I do not know whether you may have been asked whether you were aware that the indexes and calendars in the Duchy-office were made at the expense of the Duke of Cornwall in his personal character?—No, I do not know it at all; I do not know that there is such an index; I have been told there was nothing of the sort to which I could refer when I have applied there.

4057. Do you know from what funds the expense of the Duchy-office is sustained?—No, I presume from the revenues of the Duchy.

4058. Therefore if any calendars or indexes shall have been made, you presume they were made out of the revenues of the Duke of Cornwall?—Yes.

Henry Joseph Garnier, Esq., called in; and Examined.

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4059. *Chairman.*] YOU were professor at the college of Fribourg?—At the Latin college of Fribourg; I lectured likewise at the university there.

4060. Have you had occasion, in the course of any researches you may have made, to consult ancient records in Germany?—No; but I have some knowledge of the archives existing in my native country.

4061. That is in the grand-dukedom of Baden?—Yes, it is: I may add, however, that what I am to state is applicable to the whole of Germany. We have three classes of archives: First, central archives, only in towns which are the seats of government, and containing what you call State papers, and many documents of historical importance; they are only accessible by special permission. All the courts of law, farther, have their peculiar archives, wherein they preserve all the papers which refer to the lawsuits, and to the trials of criminal cases which have taken place before them. Those records are destroyed after the lapse of 100 years.

4062. It is the custom in Germany to destroy legal records after the lapse of 100 years?

100 years?—One hundred years is the term in my native country; but if I say, the legal records are destroyed after a certain lapse of time, my answer is applicable to the whole of Germany. Indeed, an illimited preservation could have no object whatever: since, at the beginning of this century, each of the states of Germany, in imitation of the *Code Napoleon*, has been endowed with a code, or a complete system of written law; so that the authority of the *chose jugée*, or precedents, are not much wanted. If we consider, besides, that the administration of law is not public, and that all the transactions take place in writing, it becomes evident that the temporary preservation of the legal records serves exclusively as a sort of *quasi* publicity for the parties interested in the lawsuits, the object of which is perfectly attained after a certain lapse of time.

4063. What is the third class of records?—Town archives: they are easily accessible; they often contain charters and other documents of historical importance, for the reason that many of those towns have formerly been free imperial towns governing themselves, or the seats of petty princes who have been sacrificed in the treaty of Luneville; a circumstance which brings such town archives, in some way, under the description of the first class of archives, which I called central archives.

4064. Are all those archives at present under the care of the general government of the country?—It is difficult to say what, in the present state of Germany, is not under the care of the government, or rather, of what the government may not think fit to take care; but in a certain sense it may be said, that the towns and legal courts take care of their own records.

4065. Do you know in what state they are generally kept?—They were in a state of great disorder till the beginning of the present century. Great improvements have taken place since 1815, and now the documents are kept in much better order than they were before.

4066. Does the government superintend the publication of any of these documents?—The different governments of Germany encourage science and instruction by the multiplication of well-organized schools and universities, and by sufficiently paid professorships; but they never make themselves editors of books.

4067. You have had very extensive publications made from them in Germany, have you not?—Really extensive publications, not until very lately.

4068. By whom were those late publications made?—By a society established in 1818, under the presidency of the celebrated Prussian minister, Von Stein. The society extended all over Germany, and made it their special purpose to bring forth a collection of all the sources of German history down to the 16th century. They began their activity by establishing a periodical under the title of, "Archiv der gesellschaft für Deutsche geschichtskunde," wherein a full inventory of the documents existing, as well in the libraries of Germany as in those of foreign countries, and elucidating German history, was dressed and partly described. When thus the whole extent of the work to be published was perfectly known, the first volume of the collection itself appeared in 1828, under the title, "Monumenta Germanica historica. Inde ab anno Christi quingentisimo inque ad annum millesimum quingentisimum, auspiciis societatis aperiendis fontibus rerum Germanicarum medii arvi, edidit G. H. Pertz." Three volumes are now published. Dr. Pertz, royal librarian at Hanover, superintends the publication.

4069. What has been published in these volumes? Under what plan have they been framed? have they been a publication of the archives bodily, or extracts from them?—I did not well seize the question.

4070. Are the whole manuscripts published, or only extracts?—The whole manuscripts are published.

4071. On what plan has that work been carried on; is it a collection of materials for the History of Germany, selecting from the archives merely such documents as throw light upon a particular period of history, or have they taken in a valuable class of documents and published them altogether; does not Doctor Pertz's work consist merely of chronicles?—The collection, when completed, is to contain five classes of manuscripts and documents, which are to be published in the following order: Scriptores, Leges, Diplomata, Epistolæ, and what they call Monumenta Minora.

4072. Then no greater progress has been made in the work but the publication of three volumes folio?—Not that I know of.

4073. What are the funds of this society?—Private contributions and subscriptions from reigning princes, but in their quality of private individuals, amongst whom the contributions of the King of England have been by far the most liberal.

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4074. I suppose Doctor Pertz under him has editors to divide the labour with him?—It could not be otherwise, as the collections are very numerous, and equal care is given to the editorship of them as we are only accustomed to see bestowed upon the valuable remains of Greek and Roman authors. The printed text is based upon a comparison of all the manuscripts existing and known of the authors comprehended in this collection.

4075. In what manner has the work been executed, in such a manner as to give satisfaction to the learned men of Germany?—The work has given general satisfaction, and deserved it. Learned men had travelled and examined the contents of the most important libraries of Europe: the full extent of the work was perfectly known before the publication was begun. Men of such high renown as Professor Dahlmann at Göttingen, and several others, have undertaken the edition of single authors; the texts of the authors have been carefully revised, notes are appended containing the important variations of the texts occurring in the different manuscripts, and short explanations of difficult passages, or of little known historical parts and names occuring in the texts. What has been published till now is done in such a way as to deserve to be recommended as a real pattern for similar publications. The work, certainly, does great honour to Dr. Pertz, who, if he has not done all the work himself, at least revises the whole of it.

4076. Mr *Pusey*.] Are you aware of the assistance which the French government has given to the publication of documents illustrating French history?—The work of Dr. Pertz is a private enterprize; the same is the case with the collection of Muratori, and the important publication of Dom Bouquet and his Benedictines in France was likewise the result of private enterprize.

4077. Sir *Robert H. Inglis*.] The collection of Dom Bouquet was published at the expense of government?—That is certainly the case in a certain way. But I have a recollection as if the government defrayed only about one fourth of the expenses; and the rest was taken from the revenues of the corporation of St. Maure and the profits of the sale of the work. The French government likewise advanced a sum of money, about 500,000 francs I think, to the editors of the "Description de l'Egypte," in payment of which the government took a corresponding number of copies of the work; but the publication must certainly be regarded as a private enterprise, as the society who published the work has become very rich by it.

4078. Sir *Robert H. Inglis*.] Have you so far considered the question of the preference to be given to the plan of Dom Bouquet or of Muratori, as to be willing to give an opinion to this Committee upon the subject?—My peculiar studies belong more to literary than to political history; I know, besides, that the question is of such difficulty, that the publication of Dom Bouquet was deferred for a considerable time, from the sole reason that such of the first historians of France as may be ranged amongst the first historians of Europe, could not agree upon the plan to be followed in the publication; what I am able to say is, that the learned men find in the plan of Dom Bouquet this inconvenience, that the authors, in consequence of the matter being distributed under Reigns and Centuries, are cut into pieces, and that, therefore, if you wish to examine the complete work of an author, you are often obliged to hunt for the separate portions all over the work.

4079. You prefer the plan of Muratori?—The collection of the "Scriptores rerum Danicarum," by Suhm and Langenbeck, is a considerable improvement, not upon the plan of Muratori, but upon its execution; the same may be said of the "Monumenta" of Pertz, with this difference, that the latter has also enlarged the plan of Muratori; for Dr. Pertz's collection will contain the documents and diplomas which Muratori gives in a separate work, the "Annali d'Italia."

4080. The Right Hon. *Watkins W. Wynn*.] Do you think that the inconvenience of breaking the publication into different periods might or might not be considerably obviated by making those periods of a considerable extent?—That is to say, you wish to avoid, as much as possible, the inconvenience of breaking the work of an author into parcels. Why, then, divide them at all?

4081. The periods of Dom Bouquet, you say, are separate reigns, are they not?—Yes, and centuries.

4082. Then the Committee understand that the division is principally into centuries, modified so as not to break a reign into pieces?—Such, I think, is the case at the beginning of this work, where the division into dynasties predominates.

4083. Sir *Robert H. Inglis*.] Upon a general review of the subject, do you give it as your opinion to the Committee that the plan of Dom Bouquet is, in your judgment, preferable to the plan of Muratori, or *vice versâ*?—I think both plans should

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should be combined. Such large collections as those of Muratori and Dom Bouquet are not books which a man would read through from one end to the other; they are books of reference, which should be arranged in such an order as to enable the inquirer to find the notices and facts in the shortest time possible. The great merit of the plan of Dom Bouquet lies in such an arrangement. On the other side, it may be said, that there are many points in history which cannot be elucidated unless by perusing the whole of an author, and in such cases a collection made after the plan of Muratori is wanted; a collection, further, made after the plan of Muratori, wants only completeness in the number of the authors and documents, and correctness as to the texts; and those are things which may be attained in such a way as to make any subsequent alteration superfluous: whilst, on the contrary, the plan of Dom Bouquet must always be open to improvement, for this simple reason, that as the purpose changes for which an author consults the collection, the plan of arrangement becomes more or less defective and incomplete. The impression I have of the subject is therefore this; let us have, at first, a complete and correct collection of all the authors and documents illustrating English history, after the plan of Muratori, or rather after the improved plan of Dr. Pertz; and this done, let us have an extensive index made after the plan of Dom Bouquet, not containing any extracts of the authors, but only the necessary references to the texts in the collection. If afterwards such an appendix or index does no longer answer to the wants of literary men, it can easily be reprinted, because it is not necessary to reprint also the texts of the authors, which alone swells the collection of Dom Bouquet into so many volumes; I may add, however, that the plan of Dom Bouquet itself has been already improved. A French monk, whose name I do not recollect, belonging to the order of the Oratorians, and Professor at Caen, published, in 1792, in four volumes, the title of which I think is "Gallia Historica." The book has scarcely been known until two years ago, in consequence of the researches instituted by Mons. Guizot; the public attention was directed to it, and at the present moment it is certainly the opinion of all France that the plan laid down in this book is by far superior to that of Dom Bouquet. I would add one remark, that it is perhaps useless to discuss the plan after which authors are to be arranged, and who are not yet collected. I think, at the present moment, you chiefly want researches to be made for what exists, or at most to have a periodical, published after the plan of the "Archiv" of the German Historical Society. If then a full inventory is desired of the sources which exist, it will be time to discuss the way in which the materials are to be arranged, but scarcely before.

4084. *Chairman.*] Do you know what assistance the French government has given to Thierry and others of its recent historians of ancient France, and in what mode that assistance was given?—The assistance was given by the Royal Printing-office, an excellent institution. There they have all the alphabets of all the languages known, and if a learned man publishes a work written in a language little known, for which he cannot get types anywhere else, he will find them at the Royal Printing-office, where they will lend the types to him, or print his work. As to Mons. Thierry, who, after having completed his work upon "The Conquest of England by the Normans," could not find a bookseller who would print it, I know that he addressed himself to government, who printed it at their own expense in the Royal Printing-office. The same case happened in 1829 to Mons. Monteil for his "Histoire des Français du divers états." Since the work has been printed it has had already three or four editions.

4085. The government aids individuals instead of undertaking the works themselves?—Yes.

4086. And the mode in which it aids them is, in the first place, by affording certain facilities in the execution of the work?—Yes.

4087. Secondly, by printing the work at its own expense?—Yes.

4088. Does it pay the authors anything for their labour?—Sometimes it allows pensions to literary men of merit, which are subjected to the approval of the "Chambre des Deputés."

4089. But in the case of Mons. Thierry and Mons. Montiel, it allowed them the return the work made, when it was found that the work did remunerate them?—The government authorizes the Royal Printing-office to print the work, which is as much as to say, the work is printed at the expense of the government; the printed work belongs to the author, who disposes of it as he likes; the government pays itself for its expenses by taking a corresponding number of printed copies.

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4090. Mr. *Pusey.*] Are the works of which you speak, collections of ancient documents or historical works?—Historical works.

4091. You are speaking of the works of original history?—Yes.

4092. You are not aware how far the French government has contributed to the publication of the materials for French history; but you can speak to the fact that it has actually defrayed the expense of printing original works on French history?—Yes: but it would certainly aid, if necessary, the publication of such an historical collection as is referred to. It has been the constant maxim of the French governments, as well before as after the French revolution, to contribute largely to the publication, both of original works on French history, and of works containing materials for it; but except in those cases where political and other views did interfere, always taking care to give no money, or other facilities, unless for works already done, or partly done. The "Ministre de l'Interieur" has a yearly credit open in his budget, for the encouragement of science and letters. Part of this money is given to the public libraries, and another part is retained for encouraging and facilitating useful publications. The author or authors of a book which publishers refuse, or which cannot be carried on by the means of private enterprize alone, send this work, or what has been already done of it, to the minister. The minister requires either a special bureau of his, or some celebrated members of the "Institut," to state the opinion they have of the merit of the work. If a favourable opinion is given, he has three ways of favouring the authors. Either he allows them a sum of money which may be given as a "gratuité," or merely as an advance: or he authorizes the Royal Printing-office to print it; or he has the work recommended to the public schools, which always ensures to the authors a sale of at least 4,000 copies. The little French grammar of Letellier, for instance, was recommended in this way; the book, in the space of a few years had 30 editions, and the author cleared a profit of more than a million of francs. Very lately, however, under the ministry of Mons. Guizot, something has taken place which seems to be an aberration of the known maxim of the French government, only to assist publications which are prepared or going on, and not to provoke them; unless we say, that it was not the minister Guizot, but the celebrated historian Guizot, who planned the new work. Mons. Guizot, indeed, has promoted an extensive publication of the historical documents illustrating the French history. The "Chambre des Deputés" has allowed a yearly sum of 500,000 francs for the sake of making researches in all the libraries of France after documents, and chiefly after such documents as have not yet been published. In all the towns of France containing libraries, an efficient man has been named to undertake the researches, and where no such man was to be found, one was sent there by the minister. Others have been sent into foreign countries for making their researches after documents illustrating French history. Mons. Francisque Michel was here, in England, last year, and upon his return, immediately published a report, which enabled the public to see that the money was not uselessly expended. All those researches, it is evident, are to end in an extensive publication; but here again, it may be said, that the minister has not at all made himself the author and editor of an extensive publication, but that keeping himself strictly within the limits of a question of administration, he has only taken such measures as will enable private enterprize to prepare and execute the publication itself. Besides, private enterprize has come in, already now, to assist in forwarding the plan of the minister. A "société historique," the members of which pay an annual contribution of 30 francs, has been formed, who republish ancient documents, which either had not been correctly printed, or wanted explanation. Further, an "Ecole de Chartes' is attached to the Royal Library, where young men are instructed in reading documents, and in the antiquated languages and dialects of France; and the members of this school have likewise undertaken a publication of their own. They publish "brochures," containing old works, with glossaries and explanations; as, for instance, the "Roman de la Rose," which has been published by Elvi Johannan, and has already had three or four editions. It is this school, likewise, which has furnished the most efficient men for the researches instituted by Mons. Guizot. I may add, that there is at Paris even a bookseller, Mons. Crapelet, who published nothing but old works; and besides, a monthly catalogue of all the curious works, and "ouvrages retrouvés," brought to light in consequence of the researches ordered by Mons. Guizot.

4093. *Chairman.*] The Appendix (A.), it is stated to us, is a catalogue of all documents in any way relating to the ancient history and literature of the British Isle

Isle (Answer 2224), to be found in various libraries in Germany. As you have looked over the work, will you give an opinion as to the accuracy of the work, and the utility of it as an index to German libraries?—I have carefully perused the work. The work has no title; and from the variety, or rather confusion, of things it contains, it would scarcely be possible to find a title for it. The work has no plan. The notices it contains are either inaccurate or not to be relied upon, or of no use. I am sorry to feel myself obliged to say that I cannot imagine any use which the work might answer. To substantiate my harsh judgment, which only a sincere conviction could force me to pronounce, I have written a memoir, wherein I have exposed the most glaring defects of the work. The memoir being rather long, I beg leave to hand it to the Chairman, leaving it to him to use it as he thinks most proper.

4094. For instance, under the head of Heilsbronn, are not the manuscripts in the library of Heilbronn mentioned?—Yes.

4095. Where is Heilsbronn?—In Bavaria; and Heilbronn is in Wirtemburg.

4096. Is Heilbronn a town of a description which you would denominate as a stadt?—Yes, both are towns, with this difference, that Heilbronn is a town of note, an ancient imperial town; and Heilsbronn an obscure place, not containing more than 200 houses.

4097. On what river is Heilbronn situated?—On the Necker.

4098. On what river is Heilsbronn situated?—On the Schwabach.

4099. In reading over this, does it appear to you that the two libraries, on account of the similarity of names, are confounded together?—The names are as similar as London and Leyden. The two names, Heilsbronn and Heilbronn, are differently, that is to say correctly, printed in the Appendix. Why, then, did the author not consult a geographical index? a book which should never have left his table, as the matter of the Appendix is distributed under towns and other places, containing public libraries. The Appendix, besides, mentions twice the following historical fact: "that a Margrave of Anspach presented a part of the library of Heilsbronn to the University of Erlangen." This fact should have rendered the author immediately aware that Heilsbronn is a different town from Heilbronn; for Heilbronn is in Wirtemburg, and the University of Erlangen is in Bavaria; and the Margrave of Anspach could never have a right to dispose of a library in Heilbronn. It is certainly pardonable not to know where is Heilsbronn, but any man who pretends to the least knowledge of German language and literature, must know where is Heilbronn; for Goëthe has laid the scene of the greatest part of his "Goetz von Berlichingen," at Heilbronn; not to mention that the title of the most known drama of Kleist is "Kätchen von Heilbronn."

4100. Does it appear from the Appendix that the library of Erlangen in Bavaria has got this library?—Yes.

4101. Mr. *Pusey.*] Should you have been very much surprised if in the Scriptores Rerum Germanicarum a mistake had arisen between the two watering-places of Leamington and Lymington in England?—I am not aware of the fact.

4102. *Chairman.*] Should not you, if a man had said he had seen a thing at Leamington that was only to be found at Lymington, think it was a pretty good proof he had not been at the places mentioned?—Yes.

4103. Should you not think that the mistake had arisen from his having read works in which they might have been noticed, not having been at the places himself?—I might think that too.

4104. Sir *Robert H. Inglis.*] Is there any statement in the passage which has been pointed out to you by the Chairman, in which the writer states that he had himself seen anything in either place, Heilsbronn or Heilbronn?—There is nothing in the whole book which should make me think that the author had seen many of the things himself, mentioned in the Appendix.

4105. Is there any passage in the pages to which your attention has been called, in which any mention has been made of the Margrave of Anspach, such pages being 123, 124 and 125?—The passages in which the name of the Margrave of Anspach occurs are in page 72.

4106. *Chairman.*] Is not information given in the Appendix of several libraries that are not existing at the places under which they are given?—I think two-thirds of the libraries are no longer existing; the book contains a great many monasteries, and libraries that are gone long ago, gone in the time of Napoleon.

4107. This book professes to be information as to books and manuscripts contained in the libraries in Germany?—Yes.

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4108. Several of those libraries, about two-thirds of them, no longer exist at the places under which they are mentioned?—So it is, and it is even doubtful if all the books are still existing.

4109. Sir *Matthew Ridley.*] Did they exist at the time this book was written?—No.

4110. *Chairman.*] Do you not suppose that the reason of this is, that the information has been collected from books of travels, and not from reference to the original authors?—The author states himself how he has made up the book.

4111. How does he state it?—It is expressly stated in the Appendix, that the author had a very imperfect knowledge of the subject when he sat down to work, and that at that time he took a few catalogues and made extracts out of them, which he wrote upon slips of paper; that the correspondents he had in other countries (*vide* Supplement to Appendix (A), page 97), likewise wrote their extracts upon slips of paper. It is further said that one and the same misfortune happened to the author, and to one of his principal correspondents, namely, that all those slips of paper got into confusion, and that in this confusion they were sent to the printing-office and printed. What must be the necessary consequence of such a way of proceeding? That it is very doubtful if the books which are placed under such and such a library really belong to it. No reliance whatever can be placed upon a book made up in such a way. If we ask further, upon what plan the author could have selected the questions and books for his catalogue of historical sources, we may refer to page 3, where the author says, "The learned reader will probably discover that some of the writers mentioned in this Appendix are not the same as occur under similar names in the compilations of Pits, Bale, and Tanner, and that works are herein occasionally attributed to authors to whom they do not belong;" there we have, by the confession of the author himself, works attributed to authors who are not their authors. The passage quoted proceeds thus: "But it will, I trust, be found that most inaccuracies of this kind have their sources in the catalogues." If he knew that his sources were bad, why did he have them? He would certainly have done much better to have travelled and examined the libraries by his own eyes; indeed he has done so, but unfortunately, p. 191, he says himself, "no reliance can be placed upon any such note made by me ten years ago." Certainly it is impossible to imagine a man who speaks with less pretension of his own merits.

4112. Then it would appear from the extracts you have read, that no reliance is to be placed upon the work?—Will you allow me to answer the question by re-stating the passage which I have read from page 3, and not yet finished? "But it will, I trust, be found that most inaccuracies of this kind have their sources in the catalogues and other publications cited, although some have, without doubt, been occasioned by my slight acquaintance with the names of our monkish and scholastic writers, and with the titles of their works." If the author was to give a list of authors illustrating the History of England, I ask, what writers has he, from the sixth to the tenth centuries, but monkish or scholastic writers? and should we extend the period even further, at all events, it will be true that one good half of the historical writers he has to notice, are monkish historians and scholastic writers. The passage I have read amounts, therefore, to nothing less than an explicit confession that the author was unfit for the work which he pretended to do; and if such is the case, it is clear that no reliance whatever can be placed in his work.

4113. You say that two thirds of the libraries, are libraries of the old monasteries transferred to other towns; from the reading that book, would the reader derive information where accurately at the present moment the documents were to be found?—Not at all.

4114. Is there not one case of information given under the head of Straswitz, and at the same time, information from one of Mr. Cooper's correspondents, that there is no such place existing in the world?—Yes, and this will prove that the author has never read the work after it had been printed, or that he did not know German enough to understand what his correspondents wrote to him. The passage in question stands page 206, and runs thus: "Straswitz Moravia." The first notice under this head is taken from Michaud's "*Histoire des Croisades*," stating that a certain manuscript was at the present moment in the library of the convent "des Chanoines réguliers de l'ordre des Prémontrés à Strahou ou Straswitz, en Moravie." It was this passage which engaged the author to head his notices by the name of Straswitz. But immediately beneath we have a passage in German, where it is not only said, that no such town as Straswitz existed, but also, that the manuscript

manuscript in question was given to the Monastery of Strahof in Prague: and if we look under the head Prague in the Appendix, we find there indeed a monastery of Strahof, containing a library. The notice, however, is again written in German, and not every body can be supposed to know German. *H. J. Garnier*, Esq. 13 May 1836.

Sir *Francis Palgrave*, called in; and Examined.

4115. YOU are a Sub-commissioner of the Record Board?—I am. Sir *F. Palgrave*.

4116. And keeper of the records in the Chapter-house?—I am keeper of the Records of the Treasury of the Exchequer deposited in the Chapter-house.

4117. Is the Chapter-house merely a collection of these records?—The Chapter-house is merely the locality. The office of keeper is held under the Lord Treasurer of England, represented by the Commissioners of the Treasury. As their deputy I am keeper of the records deposited in the Treasury of England as well as of the Exchequer. Some time ago, I was applied to by Mr. Cooper for a copy of my appointment, which I believe has been given in evidence, and you will find from that document, that the records of which I am keeper, are the records of the Treasury.

4118. Sir *Robert H. Inglis.*] In other words, you are keeper of records, which have nothing to do with the Chapter of Westminster, except that they are locally situated in a place which was once the Chapter-house?—As I have stated, I hold office under the Treasury, and I can carry up the history of my office higher than any other, even to the time of King Canute. The king deposited his jewels, his money and his records, in various strong repositaries, of which there were four. One of them is the Old Treasury, a vaulted apartment in the cloisters of the Abbey, and it will not be quite unimportant for the purposes of this Committee to be told that in that apartment the great body of the records were deposited in the time of Queen Elizabeth, and perhaps later, and that in consequence of the dampness of the room many of the records which possibly they may hereafter have to inspect sustained great injury. There was besides that, another treasury in the Tower, and a fourth treasury in some other place I cannot ascertain.

4119. The Right Hon. *C. W. Williams Wynn.*] You have mentioned but three; the vaulted chamber in the Cloisters was the first?—Yes; the treasury in the Tower was the second. Then there were two other treasuries in the old Palace of Westminster, of which I cannot give the localities; and at different periods the records have accumulated in the Chapter-house, but my office has no connexion with the Chapter-house as such.

4120. At what time were they received at the Chapter-house?—They appear to have been removed there about the time of Henry the 8th. In Agarde's time he was appointed keeper; in the reign of Elizabeth a part were placed there.

4121. *Chairman.*] How long have you been connected with the Record Commission?—In answering all questions respecting past transactions, I must answer, subject to correction as to dates and figures. I was not very careful, perhaps, in preserving copies of the different reports I made to the old commission; and when Mr. Cooper was appointed secretary to the new commission, he informed me that Mr. Caley's papers were in great confusion, and that he was at a loss for information. On that occasion I gave over to him bodily all the documents which I possessed, with the exception of some few private letters, and some stray copies of reports. The Commissioners, therefore, or their agents, must take upon themselves to inspect those documents, and correct, if necessary, anything that may be erroneous: the Committee will take my evidence with that qualification; I am speaking entirely from memory. My connexion with the Record Commission began in March 1822, and it arose in the following manner: I had been employed, or rather employed myself, a long time previously on the Rolls of Parliament, and made myself pretty familiar with them; and I had talked on the subject to Mr. John Allen, who is now in the commission: he told me he had heard that there was in the Tower a very large mass of Parliamentary petitions, which ought to be published; and we talked, as acquaintances might do, upon the possibility of their publication; but that, of course, was without any view to employment under the Record Commission: at that time I had no connexion with it. I then employed myself further in investigations on the History of Parliament, and in so doing, some time previous to March 1822, I sent an article to the Edinburgh Review, upon the origin of Parliament, as derived from the Court-leet, which was

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printed in the Review. About that time the commission was renewed, and one of the commissioners who was appointed was Sir James Mackintosh; and he at that period was the only commissioner with whom I had any acquaintance. At that time I had not the honour of being acquainted with Mr. Williams Wynn, nor am I aware whether he was then in the commission; and it appeared to me that it was possible that the commission would entertain a scheme for publishing a correct and complete edition of the Rolls of Parliament, such an edition being much needed. The printed edition of the House of Lords is in itself extremely incomplete; it is not very correct, it is not printed diplomatically, and if you turn to the table of contents you will find a statement which, as I recollect, startled me when I first began to read them. The table says, such and such rolls are printed from a copy purchased of Mr. Tonson, and corrected with the originals in the Tower. It appeared to me a very singular mode of editing a national work, that instead of proceeding systematically, the editor caught, as it were, at a copy purchased of the executors of Mr. Tonson, and used it as the basis of the publication, without any further inquiries. Such conduct appeared to me a singular blot in a work of that importance. The next point that pressed upon me was, the very high price which Prynne's Parliamentary Writs bore at that time: they sold as high as sixteen or twenty guineas. And when any election question came before the House they were compelled to resort to the very expensive publication of Prynne, which, on the face of it, is very imperfect. I thought, therefore, that the publication of Parliamentary documents would answer a twofold end, that it would give what evidence was required by the House of Commons in election cases, and I also believed that it would afford similar evidence in peerage cases. I thought, that if one work could be compiled that would afford evidence in election cases, and in the House of Lords, it would be of great practical utility, beyond the mere historical value of the work. Then there were other objects also, not merely matters of curiosity, which appeared to me to give considerable interest to such a work. Every body knows that one of the great historical problems in the history of the constitution of this country is, the origin of the House of Commons. It appeared to me that the common notion of the House of Commons being a mere fiscal assembly was wrong, and that a considerable portion of its functions were to be traced to the conservancy of the peace; and that the proceedings of some of the common law courts, particularly the court-leet, would throw great light upon its origin. I had already written on the subject, but from imperfect materials. I had also reason to suppose that another great constitutional problem, which at that time was of very considerable practical importance, the formation of corporations, was more nearly connected with the court-leet than was supposed. And I believed that the theory of Brady, that the boroughs had risen from the gradual emancipation of the villains, emancipating themselves like the serfs in France, was an error. That point was one of practical application, not only to corporations, but upon election questions; for many attempts were then making to throw open corporations upon the ground of ancient rights; and I thought the records relating to such rights would give a practical value to the work, and therefore render it a saleable one. Then there was another question of great importance, partly of practical utility, and partly of theoretical curiosity, to which I had given great attention, and that was the origin of courts of equity. I had reason to suppose that the common notion of courts of equity having arisen from the jurisdiction of the chancellor over matters of conscience was erroneous, and I had conjectured that the constitution of the council in Parliament as a remedial court, was the fountain of equitable jurisdiction. Now, all these matters I have mentioned, were matters not merely of curiosity, but of practical importance. There was another one, which I think I mentioned before, as to the rights of peerage, all of which would be evidenced by such a Parliamentary collection. Then, as a matter of collateral information it appeared to me, if we could get a history of the constitution of those minor states which had formed themselves independent of the Parliament of England, such, for instance, as the states of the Norman Islands, the tynewold of the Isle of Man, the stannary parliaments, the brotherhoods and guestlings of the Cinque Ports, we should do much; that if those were collected together, we should obtain a much more accurate view of the history of the English constitution than we could gain without these sources of information. With this view, I drew up a summary of all the documents which I thought ought to form the basis of a constitutional collection, and I sent it in to Mr. Caley, with whom I had some little acquaintance, in order that he might lay it before the board. I sent a copy

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to Sir James Mackintosh, in the expectation that he would bring the question before the board; and, if I recollect right, I sent a copy to The Speaker, with whom I had then no personal acquaintance. A board was held as usual on the 25th of March, according to the then constitution of the board. I understood that Sir James Mackintosh, contrary to my expectation, did not bring my proposal before the board, but as they were about to break up, Mr. Bathurst, a gentleman with whom I never had any acquaintance, brought the subject before the board, and recommended it to their consideration; this was the origin of my work. I then received an official letter from the secretary, desiring me to furnish further particulars. And, accordingly, a month afterwards I came before the board, and they agreed to prosecute the plan, but at the same time they would not fix upon the remuneration, The Speaker stating, that they would better be able to judge of it when I had proceeded further in my work. That was the origin of my connexion with the board.

4122. In consequence of this, what connexion did you form with the board?—The connexion I formed was the being appointed a sub-commissioner, as I understood; I never saw the minutes.

4123. When?—In April 1822; I was then appointed a sub-commissioner for the purpose of carrying into effect the work which I had detailed in my scheme or plan.

2124. What stipulation was made in regard to your salary?—None.

4125. How were you to be paid?—No stipulation was made.

4126. Sir *Robert H. Inglis.*] What followed then?—I then went to work at the Tower, collecting materials for a new edition of the Rolls of Parliament.

4127. *Chairman.*] How long did that employment last?—That employment lasted under various changes to the present time, but it has altered its features most materially.

4128. What stipulation was made?—There was no stipulation made as to the salary till about June 1823; I then presented a report to the board, stating what I had done, and left it to the board to fix the salary; the board fixed the salary at 500 *l.* a year. I am not aware that I made any demand myself, but that salary was fixed by the board, and I was also told verbally I should be allowed the usual editorial charges.

4129. What was this salary fixed for; for the work in preparation, the Parliamentary Writs?—No, not the Parliamentary Writs, because that specific work did not exist at that time; but for the general Parliamentary collections according to the plan that had been delivered in to the commission.

4130. For what portion of that work, collecting the materials?—For the formation of the work—there was no peculiar detail given.

4131. I thought when you edited the works you were to have the editorial fees?—Yes, when it came to the press.

4132. I want to know the work you were to do under this agreement; you were to prepare this work of which you had given a plan; while so engaged you were to be paid 500 *l.* a year, and when the work was in such progress that you could edit any thing, you were to have the editorial fees?—It was then agreed I should have the usual editorial fees, and the usual remunerations. What those were I was not informed. When the accounts were made up the following year, Mr. Caley informed me that the editors were allowed a remuneration for transcription, that they were allowed at the rate of so much a folio; that was the first editorial fee of which I had knowledge; we then continued collecting. The Parliamentary Writs was only one branch of the work.

4133. Am I to understand you that the arrangements with respect to the work and the pay kept on changing until the appointment of the new commission?—They did so far keep on changing, that from the year 1825, when we began printing, it did change; it changed very materially after we went to press.

4134. At the time of the new commission coming into existence, did you make a fresh agreement with the commissioners, or did you continue upon your former agreement?—There I must again trouble you with details, and those details are so entirely necessary, I must trespass upon your patience. When the new commission was appointed, no alteration at first was made in my mode of remuneration, but after it had existed for some time I was informed that some of the members of the commission thought that my charges were too high, and that the only fair standard of remuneration was literary labour. These members thought that the remuneration I received was much too large; what these rates were will appear by the Returns before the House; and these members contended that

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the only fair standard was literary labour. Two members of the commission, acting, by the request of the Board, as a kind of deputation, expressed a wish to have a conference with me. I met them at the chambers of one of those members; we had a very long and amicable discussion upon the subject, and then it was further stated by the member who took the lead that the only rate of remuneration that ought to be paid to an editor of records was the usual remuneration for literary labour, and that mine was too high. I stated that I conceived that my remuneration was not to be measured by literary labour, but by professional labour; that to edit records of this description required a considerable degree of legal knowledge, and a kind of knowledge that could not be acquired without a considerable expenditure of money and time, and previous study connected with a liberal profession, and that the only standard for a person occupied as I was, as a professional man, was to be fixed by taking into consideration what he might fairly be supposed to attain to, if he had given his attention to more practical parts of the profession of the law.

4135. Sir *Robert H. Inglis.*] You being at that time a barrister at law?—Yes, I insisted on my situation as a barrister at law. We had a good deal of amicable discussion; however, nothing was settled. I do not know what took place within the walls of the commission, but the result was the appointment of a further committee to consider the expediency of continuing the Parliamentary Writs, and as to the remuneration. I prepared a very full statement for that committee of the materials and nature of the work, and gave them such information as they required with respect to remuneration, and the result as to the continuance of the work was this report, which I should wish to give in as evidence. This report has never been printed entire. The sub-committee reported as to the continuance of the work, and as to the continuance of the charges upon such rate as they were then existing. This was in the year 1831. I tender the report itself, and request the Committee to receive it as evidence.

(*The Witness delivered in the same.*)

This report recommends the continuance of the work, and another report recommends the same scale of remuneration; and upon these reports in all my subsequent transactions with the commissioners, I took, as it were, my stand. After the report was made several of the commissioners and the secretary of the commission stated to me, that notwithstanding the report of the sub-committee, they thought the remuneration still was too high, and wished me to consider whether I would not accept of a lower rate. One of the commissioners mentioned 800*l.* a year, and another commissioner named 1,000*l.*; I stated that I should decline offering any abatements; that it had been represented that my charges were too large, that I myself would never admit that they were so, or offer any reduction, but that if the commissioners at their own discretion imposed terms upon me, I should feel myself under duress; I do not use the term offensively, but as expressing my situation with respect to the board, and I would consider whether I would accept them or not, but I would not offer any reduction. There the matter rested, though a great deal of discussion verbally and in writing still continued between them and me with the members of the commission and the secretary. Matters stood so till April 1832, when a statement relating to me was circulated amongst the members of the commission. It bore the names of two members, who recommended that it should be printed, and at their recommendation the statement was printed, and sent by the secretary to the different members of the commission; that statement contained in it a great number of strictures and censures upon me; among others, that of having departed from the primitive plan of my scheme by having inserted military writs and many other documents which the objectors also thought irrelevant; commenting upon the different charges, and also stating, that with sufficient means of access, I had neglected to use due diligence in collecting materials, and had introduced conjectural emendations in documents of a particular class. Upon that a great deal of discussion took place, and it ended in a general reference of the whole matter to the committee, who ultimately made a report which led to the arrangement upon which I now stand. That committee consisted of the following members: The then Speaker (Sir Charles Manners Sutton), Mr. Justice (now Baron) Parke, Mr. Justice Bosanquet, the Right hon. C. W. Williams Wynn, John Allen, Esq., and H. Bellenden Ker, Esq. It is right with regard to Mr. Ker to mention, he was one of the gentlemen whom I first met, and who wished to reduce my emoluments to 800*l.* a year; he had been

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in the discussion from the beginning, and was well competent to judge of its different bearings; the committee then made this Report.

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(*The Witness delivered in the following paper.*)

The Committee of the Record Commissioners appointed by the order of the Board, dated the 30th of June last;

1st, To consider the expediency of continuing the publication of the Parliamentary Writs; and if so, whether any alteration should be made in the plan?

2dly, To inquire into the execution of the volumes already published by Sir Francis Palgrave, and to consider whether it is advisable that he should continue to be editor?

3dly, To recommend a rate of remuneration which the editor should in future receive; Have examined the matters referred to them, and have agreed upon the following Report:

The committee are of opinion, it is expedient to continue the publication of the Parliamentary Writs as hitherto published, with the exception of the Digest, which the committee think should be prepared for publication, but not printed. The committee, however, beg to recommend to the board the expediency of applying to Parliament annually for a separate vote to provide funds for the expense of this work; and in the event of such provision not being made by Parliament, the committee recommend that the whole question should be re-considered by the board, as to the expediency of continuing the work either in part or whole.

The committee are of opinion, that Sir F. Palgrave should be continued as editor, recommending that the transcripts should be literal, and any conjectural emendations thought necessary should be marginal.

The committee further recommend, that the remuneration to the editor should be fixed by salary or allowance, rather than upon the system hitherto pursued.

The committee suggest the expediency of authorizing Sir Francis Palgrave, while employed in collecting materials for this work, to make a calendar or lists of such records as may come under his observation, and that such assistance should be provided as may be necessary to assist him in effecting this object; and that, to ensure the steady and unremitted attention of Sir F. Palgrave to his labours in the event of the work being continued, a committee of inspection be appointed to superintend his progress, and advise him in case of difficulties; and that to this committee he make a report on the 1st June, the 1st November and the 1st February, in every year, stating,

1st, The number of sheets printed under his inspection.

2dly, The quantity of transcripts, and other matter connected with his work, which he has prepared for the press since his last report.

3dly, The time he has employed in searching for materials, whether in the offices of record or elsewhere.

4thly, That these reports, with the addition of what Sir F. Palgrave has done since The 1st of February preceding, be submitted to the general board at their annual meeting, to be held on the Saturday before Good Friday, and that directions be then given to Sir F. Palgrave for the ensuing year.

C. Manners Sutton. *John Allen.*
J. Parke. *H. Bellenden Ker.*
J. B. Bosanquet.

N. B.—I have taken the liberty of adding a copy of a letter addressed by me to The Speaker, on the subject of the Parliamentary Writs, as explanatory of my opinion in detail: without such addition, I should scarcely have felt justified in signing the above Report.

Lincoln's Inn, December 22, 1832. *H. B. K.*

I concur in this Report, except in the recommendation for suspending the printing of the Digest, which I think should be continued to the accession of Henry IV., if not to the conclusion of the work, a century later. *Ch. Williams Wynn.*

An order was subsequently communicated to me by Mr. Cooper, and I find, from the correspondence, it was made the 9th March 1833. I mention this, because the copy does not contain the date. The board came to this resolution: That the sum of 1,000*l.* per annum, payable quarterly, be tendered to Sir Francis Palgrave, for his services to the board, under the orders already passed for his employment, and under any other orders to be issued through the secretary to him; such salary not to be considered to preclude Sir Francis Palgrave from any avocation or employment not inconsistent with his duties under the board: Sir Francis to make reports of his progress to a committee of inspection three times a year. And this is the order.

[*The Witness delivered in the following document*:]

Resolved (reference being had to some recent orders of the board), That Sir Francis Palgrave be appointed sub-commissioner for the formation and publication of calendars of the miscellaneous unsorted and uncalendared records at the Tower. The form of the order to be fixed at the next board. The passage in the Report of the committee on the Parliamentary Writs, recommending that the remuneration to Sir Francis Palgrave be by fixed salary or allowance, rather than upon the system hitherto pursued, having been read,

Resolved,

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Resolved, after deliberation, That the recommendation of the committee be adopted; such salary or allowance to be in respect of general employment under the recent orders of the board: That the sum of 1,000*l.* per annum, payable quarterly, be tendered to Sir Francis Palgrave for his services to the board, under the orders already passed for his employment, and under any other orders to be issued through the secretary to him; such salary not to be considered to preclude Sir Francis Palgrave from any avocation or employment not inconsistent with his duties under the board. Sir Francis to make reports of his progress to a committee of inspection three times in the year.

C. P. Cooper.

Which is accepted in these terms:

[*The Witness read and delivered in the following paper*:

Sir, Duke-street, Westminster, 20 March 1833.

I have the honour to acknowledge the receipt of the resolution of the board (passed on the 9th instant), that the sum of 1,000*l.*, payable quarterly, should be tendered to me for my services to the board, under the orders already passed for my employment, and under any other orders to be issued through the secretary to me; such salary not to be considered to preclude me from any avocation or employment not inconsistent with my duties under the board; and I hereby signify my acceptance of the same. The said salary to commence from the 25th instant, as noticed in your communication of the 14th instant.

I have the honour to remain, Sir,

To C. P. Cooper, Esq. Secretary Record Commission.

Your obedient and humble servant,

Francis Palgrave.

4136. What is the stipulation to which you wish to call the attention of the Committee?—That it was not to preclude my following any other avocation not inconsistent with my engagement with the board.

4137. Under that agreement how long did you continue in the service of the board?—Up to the present time.

4138. I thought a different arrangement was made when you were appointed to the Chapter-house?—When I was appointed to the Chapter-house Earl Grey sent for me, and stated that having been recommended to him, he would appoint me to the office of keeper of the records in the Treasury of the Exchequer, upon the condition that the salary and fees, whatever they might amount to, should go in reduction of the allowance received from the Record Commission, so that my profits to arise from the records should not exceed 1,000*l.* per annum. In pursuance of that arrangement I have ever since carried the money received from the Chapter-house, the salary and the fees, to the credit of the Record Commission, debiting them with the balance.

4139. Under that agreement, what is the nature of the work you have been performing for the Record Commission?—It is twofold, if I may so express myself. The keepership of the Records of the Treasury of the Exchequer was heretofore considered an entire sinecure; none of the gentlemen ever attended, and in fact none of them ever could attend, for there was no room for their accommodation. The room which I now sit in was only gained by turning out the clerks and putting them all in one room, and I considered that the rendering the keepership an efficient office was, to a certain degree, a portion of the work under the board.

4140. Am I to understand that you so understood your appointment, as to suppose that the salary, as keeper of the Chapter-house, was given to you for doing nothing, as your predecessors had done, and if you did something you were to have additional pay from the Record Commission?—I do not know what understanding was contemplated by Lord Grey beyond what I have told you; he imposed upon me only the duty of carrying the salary and fees to the account of the Record Commission in diminution of my allowance from them.

4141. Did Lord Grey tell you the appointment was a sinecure?—He did not tell me so; he told me I should hold it as my predecessors had done.

4142. They had made it a sinecure?—Yes.

4143. Did you consider, as you had a salary for the office, it was your right to make it a sinecure as your predecessors had made it, and if you worked at all you were to receive additional pay?—I now make the office an efficient office, giving regular attendance. If the Record Commission were to drop, I should, as a matter of honour and propriety, continue to make the office an efficient office in proportion to the salary, that is to say, I should look after it in proportion to the salary; but, at the same time, I conceive that, legally and officially speaking, the tenure of the office is not changed; and if I were to die it would be quite in the power of the Treasury to confer it upon any gentleman they chose, not making it an efficient office.

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4144. Do you mean to say that the Government of the country has not a right to call upon the keeper of the records to make it an efficient office?—I cannot say what right the Government may have over a particular office; but the Government making no new arrangement with a particular individual, he comes in upon the footing of his predecessor, and the only duties imposed upon the office of the keeper of these records, by the construction which it has received from previously continued usage and practice, is the making quarterly reports to the Treasury of what is done by the clerks, and to keep the records safely; and in practice, no keeper of these records, as far as it is possible to trace the fact, was ever considered by the Treasury otherwise than as holding a sinecure.

4145. You conceive, under the terms of your appointment, that Government had no right to expect it should be anything but a sinecure in your hands, unless the Record Commission paid you in addition?—As a matter of dry official right, they ought not to expect that I shall do more than my predecessor has done, whatever that may be.

4146. Is it your notion of the tenure of offices, that the Government have no right to expect an individual to do more than his predecessor has done?—As such right is collected from the usage and practice of office, not without increasing his salary or making a specific contract, *de novo*, at the time of his appointment. It is, of course, quite impossible for me to say what my superiors may think they have the power to do. I can only speak to my general views of practice, which all persons who know what offices are will agree with, that according to the usual mode of conducting business, when there is an office with a certain duty and a certain salary, and when a person is appointed to such an office, he takes it according to the general understanding that he should act as his predecessors have done.

4147. You state you were appointed to the office, and that there were certain duties to be done by the keeper of the records that had been neglected by your predecessors, who had made it a sinecure; that since your appointment you had discharged the duties that an efficient keeper of records ought to have discharged; but you think, as your predecessors had made it a sinecure, you ought to receive an additional remuneration?—I said, not that they had neglected their duties, but that by usage and practice they had no active duties to perform. I wish to state the fact, that as far back as it is possible to trace the office, the keeper, since Agarde's time, has never done more than to make it a sinecure.

4148. Sir *Robert H. Inglis.*] Who was your predecessor?—My immediate predecessor was Mr. Caley.

4149. *Chairman.*] He made it a sinecure?—A sinecure is an odious term; he held the office in the same manner that his predecessors had done.

4150. What did he do?—What he did was to attend at the office occasionally, to look in upon the clerks, and superintend it, but not to give any personal attendance. I would express myself in this way; it was not considered an obligation upon the keeper of this office to give any personal attendance.

4151. What proof have you of that?—My proof is, that the Right Hon. George Rose, during the long period he held the office, never attended except once a year. I give this fact from the information of the clerks now living, and who were in the office at the time. I understand that when Mr. Rose applied for the office, Hume the historian was also a competitor for it, and that through the influence of Lord Marchmont, Mr. Rose obtained it.

4152. Had it been a sinecure before the time of Mr. Rose, or is the merit of turning this office into a sinecure to be attributed to Mr. Rose?—I cannot carry it beyond that, except in the way I am going to mention, that by looking over different books in the office, I cannot find a trace of anything of importance being done in the office by any keeper since Agarde's time.

4153. Might not this view of yours apply to many offices in the country now considered efficient offices; might it not be proved that for a long time, what we think an efficient discharge of the duties of the office, had not been performed by the persons in the offices?—I know nothing of other offices; have the goodness to confine my examination to my own office.

4154. Do you think that the keeper of the Chapter-house is to be tried by other rules than any other functionary?—I can only state the facts.

4155. The facts are these, that your predecessors have done no duty, and you considered you ought to do no duty for your salary?—There was a report made to the House of Lords on the state of the public records in the year 1722; after that report was made, the form of the appointment to my office was altered, and they

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then settled the form of the warrant, and that warrant has been repeated from time to time, down to the present appointment. Whatever the Treasury, my superiors, require me to do, I am ready to do, under a fair construction.

4156. You say if the Treasury were dissatisfied with the mode in which your predecessors had executed the office, and they were to require you to discharge the duties in the most efficient way, you think you should be bound to do it without an increased salary?—No, I did not say that. If the Treasury were to say, we do not like this mode of doing the duties of the office, you must give an increased attendance, they alter the terms; but holding the office upon the footing of my predecessors, I claim according to the usage and custom of official business, to stand upon the footing of my predecessors, no alteration being made in my appointment.

4157. You claim to stand upon the footing of Mr. Rose?—I do.

4158. You claim to receive 400 *l.* a year for one day's attendance?—As a legal right, I conceive I might do so; I wish to have it upon the minutes distinctly, that if I chose to do so, I claim the right. Whether I should exercise the right or no, that is quite another thing.

4159. The Right Hon. *C. W. Williams Wynn.*] Is it an office for life?—Yes, it is. Of the propriety or impropriety of such an appointment I do not wish to speak; but if I was to stand upon the strict, dry, official right, I should claim to hold this office precisely upon the same terms that Mr. Rose did.

4160. *Chairman.*] You claim to recognize such a construction of the tenure of office, and you have been receiving additional pay for what you conceive to be the duties of the keeper of that office?—It is unnecessary to say further what the construction is. I claim this, the right of holding that office upon the same tenure that the Right Honourable George Rose did, if I were to choose to do so; and if I were to die, I claim for the Treasury, my masters, the power of putting another person into the office upon the same terms as the Right Honourable George Rose, if they chose to do so.

4161. Have I understood you rightly to state, that you receive part of the additional 600*l.* a year for the efficient discharge of the duties of keeper of these records?—I think I have been precipitate in giving the answers which I have done; for I have no hesitation in stating, that I conceive that, as a servant of the Treasury, I have no right to give any evidence that shall affect any office under the patronage of their Lordships, without definite instructions from them as to submitting to such examination. I wish to state, that without retracting anything I have said, I have spoken unguardedly and unadvisedly; because, as a servant of the Treasury, responsible only to them, I ought not to speak without their sanction. Coming before this Committee from a wish to afford information, but which, I conceive, as a servant of the Treasury, I might and perhaps ought to have withheld, I must claim that nothing I have said should at all be considered as affecting the rights or the privileges of the Treasury. I consider that in my present situation I owe a double duty to the commission; I owe on the one side what I may call the strict letter of my contract, and on the other hand I feel that strong wish to promote their views, which a person confidentially employed by them, and, having been so long employed, ought to render.

4162. We wish to inquire, for what duties the sum of 600*l.* a year is paid suppose, with regard to the 600*l.* a year, you stood upon your legal right, and did not choose to do more than what you have stipulated to do, what are the duties you consider you are bound to discharge?—I consider my duty would be, under the Record Commission, to prepare and edit such works as they confided to me.

4163. Are you paid 600*l.* a year for editing those works?—Yes.

4164. Do you consider, besides that legal stipulation, there is any implied understanding as to any duties you are expected to perform?—So much rested upon verbal understanding, that I can hardly give you a precise answer. It was understood, between Mr. Cooper and myself, that I should be generally assisting the commission, if anything arose in which I could be useful, and upon that understanding I prepared those circular queries that were transmitted to different parts of the Continent and England; and I conceive, if the commissioners were to want record information of any kind, I should be bound to furnish it to them: but the main, and principal and substantive employment is, preparing and editing such works as they in their discretion shall require me to do; I am bound to execute whatever works they in their discretion choose to entrust to my care.

Lunæ, 16° *die Maii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Hawes.
Sir Robert H. Inglis.	Mr. Pusey.
Sir Charles Lemon.	Mr. Charles Villiers.

MR. CHARLES BULLER IN THE CHAIR.

Sir *Harris Nicolas*, called in; and further Examined.

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4165. The *Chairman*.] I BELIEVE at the last meeting of the Committee you informed us you could give us some additional particulars with regard to the costs and fees in suits in which you have been concerned?—I did.

4166. Have you got them?—I have. I then stated to the Committee that I was counsel in the case of the claims to the Baronies of Braye and Vaux, and that I knew considerable fees had been demanded for the records produced on those occasions; and I mentioned some of the charges in the Braye case. I have since obtained a copy of the bills from the Rolls Chapel, delivered to both the claimants of the Barony of Vaux. The parties claimed as co-heirs and were therefore equally interested in establishing many of the same facts. One of those facts, and on which the claim was founded, was that there is no Patent of creation of that Barony. The House of Lords required the strictest possible evidence of the non-existence of the Patent, and a search was accordingly made at the Rolls Chapel under my directions for one claimant, and under the direction of Mr. Lynch, the counsel for the other claimant, to ascertain that fact. As both the searches referred to the same point, one examination of many of the documents was of course sufficient, but the Committee will perceive that both parties have been charged the same heavy fees. It is, however, right that I should add, that the searches made for my client, extended over a greater number of years, and among some additional records; but still the searches made for the other party, so far as they went, were the identical searches which were made for my client. I will now read some extracts from the bill sent in to Mr. Mostyn's solicitor; the first item is: "Searching for the creation of Barony of Vaux, from 1 to 28 Hen. 8. not found, 1 *l.* 8 *s.*; Searching through the Patent Rolls of the 14 & 15 Hen. 8. for creation, not found, 2 *l.* 2 *s.*; Searching through the Alphabetical Index to the Patent Rolls, through the Patent Rolls and Bundles of Privy Seals, &c., instrument by instrument, from 7 to 21 of Hen. 8, both inclusive, and the Charter Roll of Hen. 8. being 33 Rolls and 8 Bundles, for Patent and creation of Baron Vaux, nothing found, and attending at the House of Lords to give evidence of search, 21 *l.*; Making further search through the Patent Rolls and Privy Seal Bundles, from 22 to 25 Hen. 8. 4 *l.* 4 *s.*; to the clerk for extra attendance out of office hours, 2 *l.* 2 *s.*," making altogether, 30 *l.* Then comes the bill delivered to the solicitor of Mr. Hartopp, the other co-heir: "Searching through the Bundles of Privy Seals and signed Bills for Warrant for creation, from 12 to 16 Hen. 8. none found, 6 *l.* 6 *s.*; Searching through the Parliament Roll of 15 Hen. 8. the Close Rolls of Hen. 8. and the Charter Rolls of Hen. 8. 2 *l.* 2 *s.*; Searching through the several Close Rolls from 1 to 15 Hen. 8. inclusive, 8 *l.* 8 *s.*; Searching through the Patent Rolls from 1 to 28 Hen. 8. both inclusive, instrument by instrument, for the creation of Baron Vaux, 26 *l.* 5 *s.*; the like through the several Bundles of Privy Seals and Signed Bills, for any warrant for the creation, 15 *l.* 15 *s.*; making a similar search through the Charter Rolls for creation and Close Rolls for summons, nothing found, 2 *l.* 2 *s.*," forming in all, 61 *l.*

4167. To the other parties?—Yes, so that the sum total for a search to prove the non-existence of a Patent between the 1st and the 28th of Henry the Eighth, has amounted to 90 *l.*

4168. The same searches being in fact made by both parties to a great extent, but both being required to make the search?—Yes, and both paying as if the search had not been made for the other party. I wish also to bring to the notice of the Committee some very heavy charges for copying records, and for producing records. Mr. Mostyn is charged for "preparing a petition to the Master of the

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Rolls for leave to carry out the records, and paid order 13*s.* 8*d.*; for attending the House of Lords with 13 records, 13 guineas; the like with three records, three guineas; attending with 13 records, 13 guineas; preparing petition for leave to carry out additional records and paid order, 13*s.* 8*d.*; attending the House with 14 records, 14 guineas." I have been informed by Mr. Mostyn's solicitor that he has complained very loudly of these charges; but what he complains of most is, the entry of the 22nd of March for attending with 13 records, 13 guineas, because they were brought down to the House for about ten minutes only, when the Lords' Committee adjourned the case to another day, without calling for them. He informed me also that he represented to Mr. Leach, the keeper of the records in the Rolls Chapel, that this was most unreasonable; but he refused to reduce the charge, saying it was the rule of the office to charge a guinea for a document whenever it was taken out of it, though it might be for only a minute. The solicitor also remarked, that he considered the rest of the bill to be equally extravagant; but he could get no reduction of any of the items.

4169. Sir *Robert H. Inglis.*] When you say "equally extravagant," do you wish the Committee to understand that the fees, in the instances quoted, were above the amount of fees demandable, according to the list hung up in the respective offices?—No, I only wish the Committee to understand that the other charges were equally as extravagant as the 13 guineas.

4170. But the 13 guineas to which you have directed our special attention, was a fee legally demandable under the list of fees suspended in the office?—I am not aware of any list of fees suspended in the office; I do not mean to say there is not such a list, but I am not aware of it.

4171. The *Chairman.*] You do not mean to say it was not a fee by law and custom chargeable, but to express your opinion upon the unreasonableness of the amount?—Precisely so. I will now state some of the items in Mr. Hartopp's bill, which will likewise show the enormous fees charged for copies of records; "For a copy of an Inquisition of the 37th of Elizabeth, 8*l.* 12*s.*; another of the 37th of Elizabeth, 4*l.*;" and there are other charges varying from 3*l.* to 5*l.* each for copies. To take the case of that particular inquisition of the 37th of Elizabeth, for the copy of which 8*l.* 12*s.* was charged, and supposing it was the only record required, the actual cost to the party for producing that single document would be as follows: 8*l.* 12*s.* for the copy; one guinea for producing it in the House of Lords; one guinea for attending to be sworn; and 13*s.* 8*d.* for the petition to the Master of the Rolls for leave to take it out, making altogether 11*l.* 7*s.* 8*d.*

4172. Sir *Robert H. Inglis.*] Is the fee for being sworn a fee also payable by the party requiring the production of the document?—Yes.

4173. The *Chairman.*] Have you any further statement to make to the Committee?—I have some remarks to make upon what I conceive to be improper regulations in the Rolls Chapel, and in the system of keeping the records there. It is the regulation of the Rolls Office not to allow an applicant to satisfy himself by searching the original rolls of the existence or non-existence of any document, as the officer insists upon making the search himself, and charges a fee accordingly; but the mere amount of the fee is not the only injurious effect of that rule, because, in cases like those to which I have lately had my attention directed, namely, of claims to Baronies by writ, it is absolutely necessary, before any proceedings are instituted, that the claimant should be perfectly satisfied of the non-existence of a Patent. Claims of that nature are seldom prosecuted under an expense of 2,000*l.*; and as the whole question would turn upon there being or not being a Patent, the party would of course wish the necessary search to be made by an individual in whose abilities he had implicit confidence, and not by an officer whom he may find in the office, and on whose accuracy he may have no reliance. I believe in the Tower and in most other Record offices, and certainly in the case of Parish registers, parties are permitted to search the originals themselves; and there are many reasons which render such a practice expedient. On the occasion to which I allude, so much depended upon it, that when the gentleman, who was employed by my client to make the search in the Rolls Chapel, was refused access to the original rolls, I advised him to state the circumstance to the then Master of the Rolls: he did so, but received no reply. Another objection to the system in that office is, that no extracts are allowed, except in cases where the entire copy would come to 12*l.*; but if the copy of the whole document would exceed 12*l.*, then as an indulgence they will allow as much as may be required to be copied (provided it does not exceed a few pages) for 12*l.*; but such extract, even when paid for at that

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that exorbitant rate, would be of no use as evidence, because it must be examined by the person who produces it, and this would not be permitted at the Rolls Chapel in the case of an excerpt.

I consider that it is almost a public duty to call the attention of the Committee to a fact which I have elsewhere pointed out, and upon which I entertain a very strong opinion; namely, that in all Record offices, whether the keepers are paid by the Crown or not, whenever the Crown requires the use of any document, it pays precisely the same fees as a private individual. I think this is so great an abuse, and one which produces so much unnecessary expense to the Government, that I endeavoured to bring with me proofs of large sums having been paid on such occasions by the Crown. As, however, I have been disappointed in obtaining the necessary evidence of the fact, I take the liberty of suggesting to the Committee that it is very desirable they should obtain this information, by requiring from the solicitor to the Treasury, and the solicitors to His Majesty in respect of his Duchies of Cornwall and Lancaster, a return of all fees paid on the part of the Crown, or on the part of His Majesty in respect of those Duchies, for the use of Public records within the last ten years. I have adverted in one part of my evidence to the fact of a fee being paid for what is termed certifying the record on the part of the keeper or the register of the office from which it issues. This certification is, in one instance at least, I mean the case of Wills in Doctors Commons, liable to strong remarks, because the signatures of three "Deputy Registers" to a transcript of a Will stated to be "extracted from the Registry of the Prerogative Court of Canterbury," naturally causes the party who has obtained it, to suppose, that the three gentlemen, whose names are affixed to it, have examined it, whereas no such examination takes place; and the three signatures are written by one person. With respect to the Public Records I wish to mention another fact, which bears in some degree upon the question, whether the present Record Commission has done its duty. Every person conversant with Records is aware that serious mischief has been done to them from the practice of throwing a composition over such parts as were apparently illegible, which has the effect of restoring the ink for the moment, but of afterwards turning the parchment perfectly black.

4174. Among whom was it the custom?—Among the Record keepers or the clerks. It appears to me to have been the first duty of a Commission, for the better preservation of the Public Records, to have issued the strictest orders that nothing of the kind should ever be done. This seems so obvious, that I assume the Commission must have issued a general order to that effect. Whether they have or have not done so I do not know; but only last month, a clerk, who produced a Record from the Exchequer at the bar of the House of Lords, said, that he had that morning "put some stuff" on it, for the purpose of bringing it out.

4175. Sir *Charles Lemon.*] Have the Commissioners of Records the power to issue such orders?—They have undoubtedly the power to issue such orders: whether they have the power to enforce obedience to them is another question; but if they have not power to compel obedience to so necessary a regulation, I am at a loss to conceive of what practical use the Commission can possibly be.

4176. Mr. *Hawes.*] One great branch of their duty was, the preservation of the records?—Yes; it was the duty for which it was specially constituted.

4177. Sir *Robert Inglis.*] The different record depositories are however, generally speaking, understood to be legally under the control of the Judges or other legal functionaries, and not necessarily subject to any new organization under a Commission from the Crown; is that the view which you would desire the Committee to take?—No; the view which I would wish the Committee to take is this; that the object of the Commission was always understood to be, to supply the neglect which had so long existed in the proper organization and preservation of the Public Records.

4178. The *Chairman.*] Do you not think that the recommendation of the Record Commission would have been attended to by the keepers of the records, or that the Commissioners ought to have tried it?—In my opinion they ought to have tried it. I am not prepared to say that they have never done so; but whether they have or have not, I beg leave to repeat that I have heard it said by a witness, at the bar of the House of Lords, that the order, if it ever was issued, has been disregarded.

4179. Mr. *Hawes.*] Subsequent to 1832?—In April last.

4180. Are you aware that in 1832 a Committee was formed to inquire into the duties of the several officers, and also into what reform, alteration, amend-

Sir *Harris Nicolas.* ments, arrangements and preservation, and the more convenient use of records could be adopted?—I was not aware of it.

16 May 1836. 4181. The *Chairman.*] You have edited the Privy Council books for the Commissioners?—Yes, I have.

4182. Under what arrangement did you do that, and with whom did you make that arrangement?—Before the present Commission was issued, I had determined to print the Privy Council books in the British Museum, from the reign of King Richard the Second to that of King Henry the Sixth, and I accordingly advertised my intention. I found, however, that the expense would be so great, and the prospect of a sale so slight, that I could not carry my plan into execution. Soon after I became known to the secretary to the Record Commission, he was exceedingly urgent that I should print that work at the expense of the Record Commission; and, finding that it must either be done in that way, or not at all, I consented, in October 1832, to print it under the Record Commission, upon the express condition, however, that I should not be considered or styled a Sub-Commissioner. I stated my reasons for that stipulation to be these: First, that I had a strong antipathy to the title of Sub-Commissioner; and secondly, that if I were a sub-Commissioner, I would not consent to receive a less remuneration for my labours than any other sub-Commissioner who had been employed by the Board. In my opinion, the rate of remunerating sub-Commissioners was, in one case at least, most extravagant and improper; and I saw no other way of preserving what I thought due to my own position, or of following an example which I had no desire to imitate, than by refusing to accept of that situation. In October 1832, it was determined between Mr. Cooper and myself that the work should be immediately proceeded with. Four sheets were accordingly printed; but early in December in the same year, Mr. Cooper surprised me by writing to desire that the work should be suspended; and the reason he gave for it astonished me still more. He informed me that Sir Francis Palgrave considered that it came within the circle of his labours, because he had employed one of his clerks, some time before, in transcribing the manuscripts. As Mr. Cooper and myself were perfectly aware of the existence of those transcripts, he having alluded to them in his work on the Public Records, which was published long before I acceded to his request respecting the Council books, I found some difficulty in comprehending how this fact could interfere with the arrangement into which he had entered with me. Nor had I less difficulty in understanding why a work which I had signified my intention to publish before the present Board existed, and in which, on account of its historical importance, I felt deeply interested, was to be taken out of my hands because a gentleman, who was in full employ under the Board on other matters, and who had engaged to perform, according to his own reports, as much literary labour as in my opinion would be sufficient for two persons for at least twenty years, had thought proper, of his own authority, to copy the original manuscripts. Considerable discussion took place between Mr. Cooper and myself upon the subject; and at last, in June 1833, an order of the Board was obtained for the publication of the work; and I proceeded with it as rapidly as possible. Towards the end of July, only two months afterwards, I received a letter from Mr. Cooper, stating that Sir Francis Palgrave had represented to him that he had transcribed all that I was printing; and he informed me that those transcripts would soon be in his (Mr. Cooper's) hands. When the work was first undertaken I was, as I have just stated, aware of the existence of those transcripts, and I requested Mr. Cooper to procure them for my use, as they were clearly the property of the Commission; but I believe he found it impossible to obtain them. When, therefore, the subject was renewed in July 1833, after the order of the Board for publishing the work had been obtained——

4183. Sir *Robert H. Inglis.*] The date of the original communication, through Mr. Cooper, with you, was in October 1832?—Yes.

4184. What was the date of the original announcement of your own independent intention to publish the Privy Council books, to which you have called our attention, as having been made by you in Mr. Pickering's catalogue?—I think more than a year, if not two years, before. I obtained the official permission of the Trustees of the British Museum to publish them as early as April 1831, and part of the manuscripts was then transcribed.

4185. At the time when you made the transcript, eighteen months or two years before October 1832, the date of the communication with Mr. Cooper, were you aware of any similar intention of transcribing having been entertained by any other gentleman, or any transcript having been made by Sir Francis Palgrave?—No; but

I was

I was aware that there was scarcely a record of any kind or description that could by any possibility be called a Parliamentary record, which Sir Francis Palgrave had not had copied.

4186. You were not aware specially that the transcript of that particular class of documents had been made by him or under his direction?—Certainly not. The first intimation I had of the existence of Sir Francis Palgrave's transcript was from Mr. Cooper's work on the Public Records. As Mr. Cooper, in his letter of July 1833, informed me that these transcripts would soon be in his hands, I reminded him, in reply, of a fact which was known to us both from the commencement of the undertaking; and I again requested to have the transcripts as soon as possible. On the 3d of August Mr. Cooper acquainted me that Sir Francis Palgrave said he wanted the volume in which those transcripts were preserved for another purpose, but that he would send me duplicates of them. Now, as I did not think the transcript of a transcript was preferable to, or would be cheaper than a copy of the original, I informed Mr. Cooper that those duplicates would be useless; and I heard no more on the subject of those transcripts until the attention of the Committee was directed to it in the course of their inquiries.

4187. The *Chairman.*] Mr. Cooper, in his examination upon this subject, in answer to question 1862, says that Mr. Baker was employed to transcribe these under your direction. "Had he supposed," I cannot make out whether he means Mr. Baker or Sir Harris Nicolas, "Had he supposed that any of the transcripts of the Privy Council books there alluded to could have been conveniently used for the publication, I am satisfied that he would not have put the board to the expense of any copies, however trifling they might have been. I have paid no bills of Mr. Baker's that have not been certified by Sir Harris Nicolas." It would appear from your evidence there had been considerable communication between you and Mr. Cooper upon the subject of these transcripts?—There had been several communications between us on the subject, from the commencement of our arrangement respecting the Council books.

4188. Mr. Cooper, therefore, must not only have known, as you applied for the original transcripts, that there could have been no ignorance on your part as to whether there were any transcripts of the Privy Council books that could be conveniently used for your publication, but he must have known that you had forced it upon his attention?—He must have known it at the time when I called his attention to it. I cannot suppose he knew it at the time when he made that statement to the Committee; he must then have forgotten what had occurred.

4189. He must have known it at the time?—Yes.

4190. If a second transcript was made while the first was in existence, and available, the responsibility rests with Mr. Cooper, and not with yourself?—I considered when I was appointed by the board to edit the Council books that it was my duty to represent to Mr. Cooper that I required those transcripts; and I also considered it to have been his duty to obtain them, because they were the property of the public, the transcription having been paid for by the Commission.

4191. Mr. Cooper was not in ignorance upon the subject?—No.

4192. You had a correspondence with him upon the subject?—Yes.

4193. If second transcripts were made while previous transcripts existed that were available, it is his fault and not yours?—I am not quite certain whether it was his fault, because I believe he did apply to Sir Francis Palgrave for them, and that he either had not the power, or did not choose to use his power as secretary to obtain them.

4194. I do not mean to fasten the fault upon Mr. Cooper, but I mean this; you did not consider yourself responsible for them; if there has been any neglect, you have at any rate shifted the responsibility for it from yourself to Mr. Cooper?—Yes, because I found it impossible to obtain those transcripts.

4195. Sir *Robert H. Inglis.*] Have you reason to think that the transcripts to which you have referred were made by Sir Francis Palgrave under any order of the board similar to that addressed to yourself, or were they made by him under the general retainer of his services, with a discretionary power on his part to employ his time in any way consistent with the objects of the commission?—Judging of the duties confided to Sir Francis Palgrave as they appear in his reports, I should not have considered myself justified in making copies of the proceedings of the Privy Council under any department of the work upon which he was employed by the Commission.

4196. The *Chairman.*] Those transcripts of your's were made by Mr. Baker?—Yes.

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4197. What was he paid for them?—For a short time he was paid 6*d.* a folio; this was altered by Mr. Cooper, and that alteration must have taken place before August 1833, because I find a memorandum of that date, that they were to be paid for at 4*d.* a folio.

4198. You did not mention to the Committee what the arrangements were between the Commission and yourself respecting the editing this work; in the first place will you tell us with whom you made the arrangement?—With Mr. Cooper only.

4199. During the time you have been editing those works, have you in any way come in direct communication with the Commission?—Never. As far as my position as editor of these works is concerned, I have no knowledge either from communication with the board, or with the Commissioners, that such a commission exists; I mean that I never, in my own person, or by letter, was in direct communication with the board.

4200. Was your engagement with Mr. Cooper in writing?—Such as it is I hold it in my hand. As soon as the order of the board was obtained for publishing the Council books, I was very desirous to obtain a specific written arrangement similar to the agreements between an editor and a publisher, respecting the terms upon which the work was to be published, but I found the utmost difficulty in obtaining it. After repeated efforts I did however at last induce him to come to some definite understanding on the subject, and I made a hasty memorandum of the substance of that agreement, to which we affixed our respective initials, and I beg leave to hand it in, as being my only agreement with the Commission [*Handing a paper to the Chairman*].

4201. Is this the original?—Yes, written in pencil by myself, and very imperfectly. "I am to 150."

4202. Is it not 650?—Judging by this paper alone I am not certain; judging by what I have received, and from my recollection of the fact, it is 150*l.*

4203. It appears 650, does not it?—No, I believe not; "I am to 150*l.* for editing 350 pages; and the index is to be paid for separately to Mr. Baker. This sum includes the ordinary preface of about one sheet; two volumes to be ready for delivery on 1st of February; August 13th 1833. C. P. C. N. H. N. Transcripts to be paid 4*d.* per folio." That is my agreement.

4204. That is the only agreement with the board, drawn up in the way and under the circumstances you mention in pencil, signed with your respective initials, and made without any communication with any body but the Secretary?—Certainly.

4205. Sir *Robert H. Inglis.*] Have you reason to think that any minute was made (to use the proper word) inrolling this agreement?—I believe not; this agreement, imperfect as it is, was obtained with the greatest difficulty.

4206. The *Chairman.*] Does this correspond with the other engagements entered into by the board with its other editors?—I have understood that I am the only editor employed by the Commission who ever succeeded in obtaining even so imperfect a written agreement as the one which I have produced.

4207. This is the first rude essay made by the Commission in forming an engagement?—It is the first and last I ever heard of.

4208. Sir *Robert H. Inglis.*] In point of fact, have you received money upon the terms mutually agreed upon between you and Mr. Cooper as Secretary, according to the paper handed in by you to the Chairman?—Yes.

4209. So far that paper has been recognized by the authority of the Commission as binding upon you and upon them?—I know nothing of the Commissioners. It has been recognized by Mr. Cooper. Of the Commissioners, as a board, I repeat, I had no other knowledge than through Mr. Cooper.

4210. You do not mean to state that you suppose that Mr. Cooper paid this money out of his own funds?—Of course, I suppose not; but the checks were signed by him, and not by any of the Commissioners.

4211. The *Chairman.*] If any body were to tell you, after you had been so many years employed under the Commission, that there was no such thing as the Commission in existence, that it was only a pure invention, that no such board existed, and that these gentlemen's names have been used without any authority, what proof could you have given to the contrary?—Do you mean legal proof.

4212. No; what proof have you from your own dealings with the Commission, of the existence and active existence of the Board?—With the exception of a single note from the late Lord Dover, in which he spoke of himself as a Commissioner,

I have

I have no knowledge of my own of the existence of the Commission. I mean, that although I have been editor of an extensive work under the Commission for three years, I never once came into contact with the Commissioners as a Board.

4213. Sir *Robert H. Inglis.*] Under this arrangement, how much work have you done for the Commission?—I have published five volumes which are now on the table before me. According to the agreement, I was to receive 150*l.* for editing 350 pages of text, and I was expected also to furnish an ordinary preface of a sheet stating whence the materials were taken, with some account of the manuscripts and so forth, which would have formed altogether five volumes, or about 1,750 pages of text and 80 pages of preface, whereas they contain 1,860 pages of text and 464 pages of preface, besides which, I have corrected and superintended the chronological abstracts and indexes made by my clerk, which extend to about 330 pages, so that I have written a large octavo volume of original historical matter which formed by far the most laborious part of the work, and edited another volume of matter which has always been paid for by the Commission, without receiving any remuneration beyond the 150*l.* originally agreed upon for each volume of 350 pages; in other words, instead of producing five volumes at the rate agreed upon, I have in fact produced seven. The work is entitled, "Proceedings and Ordinances of the Privy Council of England." The first volume extends from 10 Richard 2. 1386, to 11 Hen. 4. 1410; the preface to which is dated on the 10th of March 1834. The second volume extends from 12 Hen. 4. 1410, to 10 Hen. 5. 1422, and the preface is dated the 20th March 1834; these two volumes were published together. The third volume extends from 1 Hen. 6. 1422, to 7 Hen. 6. 1429, and the preface is dated on the 15th July 1834. The fourth volume extends from 8 Hen. 6. 1429, to 14 Hen. 6. 1436, and the preface is dated 6th March 1835. The fifth volume extends from 15 Hen. 6. 1436, to 21 Hen. 6. 1443, and the preface is dated on the 20th October 1835.

4214. The *Chairman.*] Have you the sixth volume ready?—Yes, entirely ready, with the exception of the preface; and I am desirous of stating to the Committee why this volume has not been completed.

4215. Have the goodness to state the reason?—When I became editor of the Privy Council books, I considered myself appointed to that duty by the King's Commisioners; and I never entertained a doubt on the subject until I found that Mr. Hardy, who was the editor of the Close Rolls, was suddenly dismissed from that employment by the mere fiat of the secretary, without any authority from the board. In some communications which passed between Mr. Cooper and myself, I stated my opinion, that Mr. Hardy's dismissal was a very extraordinary proceeding, because I supposed that he and all the other editors were acting under the authority of the Commission and not of the secretary. Mr. Hardy's dismissal seemed to render the position of an editor so unsatisfactory, that I looked with some anxiety to the manner in which the Board would treat his memorial on the subject of Mr. Cooper's conduct towards him. When however I learnt that the Board not only justified what the secretary had done, but that it did not even do Mr. Hardy the common justice of hearing him in his own defence, I inferred that the editors were subject to be dismissed at Mr. Cooper's will and pleasure, without any reference whatever to the board. From that time no progress has been made with the Privy Council books. I was aware that the Commission was to be the subject of a Parliamentary inquiry, and I determined to wait the result. If the Commission be not dissolved, I shall endeavour to induce the Government to print the Council books in some other manner than under the Record Commission, because I consider it degrading to literature as well as to myself, that my labours should be liable to be suspended by the Secretary, without even a reference to the Board.

4216. You understand from the proceedings in Mr. Hardy's case, that such is the power of the secretary?—I can draw no other inference from them.

4217. Can you draw any distinction between your position and Mr. Hardy's?—None; but if there was any difference, his position was the stronger of the two. I refused to be a sub-commissioner, who Mr. Cooper admits are appointed by the board, whereas Mr. Hardy was occasionally honoured with the appellation.

4218. The suspension of those works is owing to that cause?—Yes: but moreover some impediments, and I thought very unnecessary impediments, were of late thrown in my way by the secretary.

4219. State what they are?—When the original agreement was at an end by the completion of the Council books of the reign of King Henry the Sixth in the British Museum, it was necessary that application should be made to the President of the

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council for permission to print the next volume of the series, as it was in the Council office. I requested Mr. Cooper to obtain an order of the board authorizing such an application, and I refused to proceed without it. For a long time I heard nothing on the subject, but when I again applied to him six weeks afterwards, I found that he had obtained the order of the board, though he had not communicated it to me. There was another impediment which I certainly felt was not a fair way of acting towards me. The Committee will bear in mind that the prefaces to the Council books, which are infinitely more labourious than the whole of the rest of the work, as they are in fact the history of the period, and require that every line existing upon the subject should be consulted, so as to ascertain in what way the new facts bear upon what was formerly known, are entirely gratuitous. I have therefore always proceeded regularly with the text of two or more volumes, whilst I was engaged on the preface to a previous volume. Hence though a volume might be ready according to my agreement, it was not published until the preface was written. Mr. Cooper wrote to me in September last year, to say he would no longer permit me to have more than two volumes in the press at a time, the effect of which was in fact to create a premium for hasty and comparatively speaking imperfect works. Its operation in a pecuniary point of view, was this, that I was retarded in printing the only part for which I was paid, because I thought proper to undergo the labour of writing nearly 100 pages of original matter in each volume, for which I received no remuneration whatever.

4220. Sir *Robert H. Inglis.*] Do the Committee understand, that you were paid for one sheet only of preface?—Yes. I was not expected to write more than the usual preface of a sheet, which was included in the sum of 150*l.*, for editing 350 pages of text.

4221. The *Chairman.*] Is it the custom of the Commission; that is to say, has it been done with regard to other works, not to deliver the volumes as soon as they are printed and ready?—I know in one case, that of the fifth volume of the Council books, that it was kept back more than two months after it was ready.

4222. Has this delay, to your knowledge, taken place in any other instance?—I recollect an instance of a work of miscellaneous documents, edited by Mr. Cole; and my attention was very much drawn to it, because I think more than eighteen months ago he showed me an inedited Parliamentary roll, which formed part of that work, the value of which for historical purposes is very great, and it might be of even greater value for legal purposes, as the roll contains the proofs of sitting in Parliament of several peers; and if, as might be the case, there was no other evidence of that fact, the success of a claim to a Barony might entirely depend upon that document.

4223. Sir *Robert H. Inglis.*] Similar evidence to that sort, and obtained by you in the cases of the Vaux and Braye peerages?—Yes, similar, but earlier.

4224. Sir *Charles Lemon.*] When you used the word "delayed," do you mean that it was kept back from publication, or not laid before the board?—Of the Board I know nothing. It was delayed in the publication: I had not a perfect copy of the fifth volume of the Council books myself for nearly two months after it was ready for publication.

4225. The general publication?—Yes; but the general delivery would be a more correct expression.

4226. The *Chairman.*] Do you know the case of the Oblata rolls?—No.

4227. Do you know any thing of the Agenda?—Yes; I saw them some time ago.

4228. Are you aware there is a quantity of extracts from different records printed amongst the Agenda?—The Agenda contains many curious and even important excerpts from records.

4229. Are you aware that an appendix has been publishing to them, the work of Mr. Cooper, called "The Appendix to the Agenda," and which has been called by others "Extracts from the Miscellaneous Records of the Exchequer," containing documents similar to those, and which are to be published now as an appendix to the Agenda?—I have heard so.

4230. Can you conceive the utility of publishing such information, in connexion with such a work as the Agenda?—It appears to me a waste of paper and print, and cannot be of any use to the public generally.

4231. Does not it appear to you that the information is very much thrown away?—Quite so. A number of valuable historical documents have been printed in the Agenda, which

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which I have been exceedingly anxious to obtain for my own library, but I doubt if a perfect copy of them is to be found, even in the British Museum. I cannot conceive the use of printing records of any kind or sort at the expense of the government, if a sufficient number of copies is not struck off for the use of those who are really interested in historical and antiquarian pursuits.

4232. Those records that are printed in the Agenda, are merely circulated for the private use of the Commissioners, with the exception of a copy given to the Museum; they are not open to the public?—I beg leave to repeat that I cannot understand the utility of such a measure. It appears to me to be a waste of money, because the Committee are aware that the expense of printing principally arises from the composition; and the cost of paper for 250 additional copies, which would be sufficient for the use of historians, would be very trifling indeed.

4233. If they were to be published for the benefit of those who might want them, would that be a proper form to publish them in; would learned men in England look for such information among the Agenda of the Record Commission?—Certainly not; it appears to me to be very injudicious. The publications of the present Commission have in many cases been conducted in a way which I cannot reconcile with any plan, or with any regard to public utility.

4234. Have you printed any part of Rymer's transcripts?—Yes, such part as related to the proceedings of the Privy Council.

4235. Did Mr. Cooper order them to be copied?—I had discretionary power to print what I thought expedient of the records of the Privy Council in the Museum. I have heard that Mr. Cooper has ordered all Rymer's transcripts in the British Museum, to be copied, and I cannot conceive any thing more useless than such a proceeding.

4236. What is your opinion of the value of those transcripts?—Comparatively speaking, little or none, because they have been very imperfectly made. It is impossible that they can be printed as records; nor would the transcripts be useful to collate with the originals, because the words are written at length, instead of the contractions being given as they occur in the originals. Those which I have printed I began with, because the earlier transcripts were more perfect than the later ones, and I had little hope of discovering the originals; but I have some doubt, whether I did right in printing them at all.

4237. Are those transcripts of Rymer stated in his introduction to the Fœdera to be too inaccurate to print?—Yes, and Mr. Cooper has said so himself in his own work on Records, where he has particularly called attention to their condition.

4238. And yet these are the manuscripts he has had copied?—Yes.

4239. And in his Return to Parliament he calls them the valuable, but long-neglected Collectanea of Rymer; are these the same manuscripts?—I am aware of that discrepancy between his two statements. Before concluding my evidence, I take the liberty of observing, that I hope the Committee has collected from my remarks that in my opinion so long as this Commission exists, and is conducted as it has been, no practical benefit whatever can possibly be produced to those important objects for which it was appointed.

4240. I infer from all you have said that the constitution of the Commission is so vicious, that without attributing any fault to its individual members, it is impossible that good can be expected from it?—Yes, that is my deliberate opinion.

4241. Is it your opinion that it is too numerous?—Yes, decidedly so, by at least twenty persons, and it has not the necessary powers.

4242. Do you think it a right plan composing a commission with such duties as these of such high officers of state, who have other business to attend to?—Certainly not.

4243. Do you not think the best plan would be to have a small commission, of which the members should be paid?—Yes, certainly.

4244. Do you not think that very moderate salaries would suffice to procure the services of such Commissioners?—As the duties of the Commissioners of Records, if properly performed, would require as much time and labour as are demanded from the Commissioners of Excise, Customs, Audit, Stamps, Charities, or Poor Laws, and as they must be selected from persons in a similar station of society who, ought to possess information of a very peculiar nature, I can see no reason why they should be remunerated at a smaller rate than the Commissioners I have alluded to.

Patrick Fraser Tytler, Esq., F. S. A., called in; and Examined.

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4245. YOU have spent a considerable part of your life in historical researches?—I may say the greater part of my life.

4246. Have you published any works upon the subjects of biography and history?—I have published thirteen volumes upon those subjects, five of which belong to what I may call pure history; they embrace a General History of Scotland, the sixth volume of which I am now writing. Besides these, I have written other works of literary and historical biography. I published, in 1818, a Critical Dissertation upon the Life of the Admirable Crichton. I next wrote the Life of Craig, the great feudal lawyer; three volumes of Lives of Eminent Scotsmen, published by Mr. Murray in the Family Library; the Life of Sir Walter Raleigh, published not very long ago; a Historical View of the Progress of Discovery in North America; and, lastly, the Life of Henry the Eighth, which is printed, but is not yet published. They have employed me for the last eighteen years.

4247. For those works have you been accustomed to refer to manuscript sources?—I have been accustomed to refer to manuscript sources more or less in all these works, but in the fifth and sixth volumes of my History of Scotland, I have referred to manuscript sources almost exclusively. My reason for consulting these valuable sources is, that I have not been able to trust to the printed histories of the country; and I have found the printed collections of materials scanty and imperfect.

4248. Mr. *Pusey*.] How do you distinguish printed collections of materials from printed history?—Rymer's Fœdera Angliæ is a printed collection of historical materials. Hume, or Robertson's History of Scotland, I allude to as printed histories.

4249. You found not only the printed histories imperfect, but the collections of materials also imperfect?—I did, and those defects have led me to refer to records, manuscript letters, and state papers existing in manuscript in England, as the only materials by which, in my opinion, you can make an approximation to the truth.

4250. The *Chairman*.] It is your opinion, then, that history can only accurately be written after having recourse to the information contained in the ancient records of the country?—That certainly is my opinion; but to the word records, I would add original letters existing in manuscript, and state papers.

4251. In order to render such information available to the country, what steps do you think ought to be taken by the Government?—From the wants I have found in my own researches, my attention has been much directed of late to the best mode of making the historical manuscripts of England available generally to historians; it has also been directed to the Record Commission Board of 1800, (which I believe was the first Record Commission Board in this country), and to the subsequent record board appointed in 1831. I think that those two commissions had very important duties to perform to the country, which was extremely generous in the money it gave for the performance of those duties. It is evident that the mode, or the plan, for rendering the historical materials of the country available to historians, must have come out of those commissions; and it appears to me (I speak merely as matter of opinion), but it appears to me that a *grand error* runs through the proceedings of both boards. I think that their *first* efforts ought, for some time, to have been devoted *exclusively* to the formation of catalogues of the historical materials existing in England. I do not allude to mere indexes or calendars; I mean what the French call catalogues raisonnés, or catalogues containing a brief analysis of the contents of the documents which they embrace. The Commissioners, I am persuaded, will find that they must go at the last to this, which ought to have been the first object kept in view by the board.

4252. Do you think that the greatest service that such a board could render to historians would be to tell them what materials they could get in the depositories of the country?—I do.

4253. And that that was a duty imposed upon it prior to the printing any works however valuable they might be?—Yes, I do think so. Those catalogues ought to have been printed and circulated at a cheap rate, so that historians might have had them.

4254. Mr. *Pusey*.] Does that opinion of your's depend upon the circumstance that there are not sufficient funds for both purposes?—By both purposes, I suppose the honourable gentleman alludes, 1st, to the making of such catalogues; and, 2d, before these are finished, commencing printing the records themselves; and, in reply,

reply, I would say that to a certain degree—my opinion is affected by believing that the funds may be inadequate for both purposes—but what I wish to impress upon the Committee is, that this ought to have been a primary, and for a very considerable time, a paramount object of the Record Commissioners. I think I can trace most of their errors to their neglecting to take this step. I may add here, that I have omitted to speak of the preservation or arranging of the manuscripts and records, because I think those are the first steps to the making catalogues raisonnés, and that they are self evident duties.

4255. The *Chairman.*] When a commission of this kind publishes from the manuscripts in its possession, it makes itself a judge of their utility to the public; if its opinion should happen to be wrong, the works would be useless; but it cannot err in laying open all the materials to the public, and letting it know, in the amplest manner, what materials it has?—Certainly they cannot; and therefore I prefer the method that I have stated to any other method.

4256. Do you not think it is a very difficult task for the Commission to exercise its judgment upon the publication of the original materials in its possession?—I do. When I consider the extensive stores of manuscript materials in this country, I think that the deciding upon those which ought to be printed, as most valuable to the historian, is a nice and difficult question. The lawyers sometimes say of such points, that they are in *apicibus juris;* I would say this is in *apicibus historiæ.* It is a question to decide which, requires much previous knowledge, and a combination of qualities rarely met with. Above all, care must be taken not to fall into a common error of antiquaries, the substitution of antiquity for value. The selection which has been made, and the larger portion of the works which have been published, or which have been begun and suspended by the record boards, seems to me to prove this.

4257. The question refers to this, is it not a choice about which there may be a great variety of opinion; and is not therefore all that the Commission can do with reference to such publications of somewhat dubious comparative utility; while, if it is laying open the records in its possession to the public, and facilitating the access of all the country to those records which any body may be wanting to get at, is it not doing what all persons interested must, each in his particular way, acknowledge to be a useful work?—I certainly think it is. The greatest boon that could be conferred upon historical enquirers and literary men in this country, would be the following out such a plan.

4258. Have you seen the Appendix E. prepared by Mr. Stephenson?—I have; Mr. Stephenson communicated to me the sheets of the first volume of that work when printing, and also the few sheets of the second volume, so far as he has proceeded with them.

4259. Is that a work which, according to your opinion, would be extremely useful?—It is; and I would take it as an example of the kind of catalogue to which I allude, from the assistance it lately afforded me. If I do not trespass too much on the time of the Committee, I can state an example of its utility, drawn from personal experience. The documents which I have been lately obliged to consult for the sixth volume of the History of Scotland are preserved in the State Paper office; of these, which are very numerous, there is no catalogue raisonné; there is no printed catalogue at all of the immense stores of this great depository; a kind of skeleton index is kept there of the names of the volumes, but this I do not call a catalogue, even in the lowest sense of the word. There is also a MS. analysis of the English, Scottish and Irish papers in the reign of Henry the Eighth, drawn up by the late Mr. R. Lemon for the use of the commission for the publication of state papers, but this is a private imprinted work; there is therefore no catalogue at all, and yet I would characterize those documents from the few last years of the reign of Henry the Seventh to the present day, as the richest mine of original materials for a history of the country that exists in England, or perhaps in any other country. I am obliged to go through all the documents in the State Paper office which are connected with Scotland, and necessary for my history; they are arranged, and on the whole exceedingly well arranged, though not catalogued; they are divided into volumes in chronological order, and in separate series, entitled the Scottish correspondence and the Border correspondence. I also consulted the correspondence with Elizabeth's ambassador at the court of France, and the correspondence with our ambassador in the Netherlands for obtaining collateral lights on Scottish history. I was obliged to devote much labour to the examination of these

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stores, and the transcription of original letters, the Committee will have an idea of the mass of papers, when it is stated that between the years 1546 and 1568, a period of 22 years, the selections fill more than seven quarto volumes; from 1568 to 1603, the date of the accession of James to the English throne. It will be necessary to examine and make selections from 124 volumes of manuscript letters and papers. To return to the utility of Mr. Stevenson's catalogue, I must state that among the English documents in the State Paper office, there is a series entitled Sir Joseph Williamson's collection, which is multifarious; in that collection are preserved many letters, throwing collateral lights upon the history of Scotland; this series is, uncatalogued, and I had not time to go through it; but I found that in the selection of documents transcribed for the new edition of the Federa, Sir Joseph Williamson's collection had been resorted to. Mr. Stevenson's catalogue which he communicated to me, was a catalogue raisonné of these documents, and it at once led me to consult a manuscript letter, which was of the greatest value. If I do not fatigue the Committee, I will state how this happened. It was necessary to ascertain with accuracy what took place in an interview between Francis Russell, the second Earl of Bedford, and Mary Queen of Scots, then in France; Russell was sent by Elizabeth to the Court of France in 1561, to condole with Mary upon the death of Francis the Second, her husband, and to congratulate Charles the Ninth on his accession to the throne. This was his public accredited task, but he was directed by his private instructions which are preserved in manuscript in the State Paper office, to communicate with the King of Navarre and the Protestant party, and to discover the real intentions of Mary and the Guises. Now to get at the particulars of the interview between Russell and the Scottish Queen, and to ascertain the opinion he had formed, was of great importance with regard to some inferences as to the conduct of Mary and the history of the Scottish reformation. This catalogue referred to an original letter of Russell to the Privy Council, contained in Sir Joseph Williamson's collection, with a brief description of its contents, I got the letter, and to my satisfaction discovered that it contained every thing I wanted. It is an original, signed by Russell and Throkmorton, and bears marks of having been read with the greatest attention by Burleigh, whose well known crosses to guide his eye, are on the margin. Russell gives in it an account of all that Mary said to him, written with great minuteness and freshness of detail; in short it was exactly what I was in search of; and the Committee see that this catalogue led me to the source which satisfied my doubts and gave me the truth.

4260. You mention this as an instance of the very great utility that good catalogues of records would afford to the historical searcher?—I do; it seems to me a convincing instance of their value, and of the best mode of making manucript materials available to the historian. I have met with many others. I mention it as an illustration of the utility of the plan I have suggested. I know the State Paper office is not under the power of the Record Commission.

4261. If the Commissioners had adopted this plan of first laying open its materials to the public, do you not think that a great deal would have been done for historical knowledge in this country by this time, by the voluntary labours of individuals?—I do think a great deal would have been done; I may be sanguine, but that is my opinion.

4262. By what kind of voluntary labour?—I think the voluntary labour that would have come in to the field would have been of three kinds. First, the labour of clubs instituted for the publication of historical documents existing in manuscript, such as chronicles, cartularies, chamberlain rolls, &c. I may instance as examples of such associations, the Bannatyne club in Scotland, of which the late Sir Walter Scott was one of the original founders and first president; its present president is Mr. Thomson, the deputy clerk register of Scotland, a learned antiquary. I may mention the Maitland club at Glasgow, of which the Earl of Glasgow is president. The Surtees club of Durham is another excellent institution of this kind, of which I believe his Grace the Duke of Buccleuch is president. There is another club lately instituted, of which his Grace the Duke of Argyle is president, the Iona club of Scotland; it has turned its attention to manuscripts, illustrating the more northerly parts of Scotland and the isles. I am not sure that I have gone over all these associations; I think there is the Abbotsford club of Edinburgh, of which, I believe, Mr. Hope, the present Dean of the Faculty of Advocates, is president, and which has the same objects in view. One error of some of these clubs is, that they do not print all or even the greater part of their works for sale, but this I trust will be remedied, and

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and the rule has been departed from in some of their most valuable books. The Bannatyne club has an income of 500*l.* a year from the contributions of the members, who consist of literary men, noble persons and gentlemen of Scotland interested in such objects. The same remark applies to the Maitland and to the other clubs. On this subject I can speak with precision, because I was one of the original members of the Bannatyne club; I have the honour also to be a member of the Maitland club and of the Iona club. I have had my attention drawn to what they do, and have contributed works to the club. One of the rules is, that every member must publish one work at his own expense, the general funds of the club going to printing higher and more expensive works.

4263. You think if the record depositories were thrown open, that those societies and others of a similar nature, would publish works from the authentic sources of history for the use and information of historians?—I am certain they would, because I appeal to the works they have already published in proof of it.

4264. Are the works similar to those published by the Record Commission?—They are of the same character. I may mention among the works published by the Maitland club, the Scala Chronicle, taken from a unique manuscript preserved in Corpus Christi college, Cambridge. It is a chronicle of great historical value. It was published under the learned editorship of Mr. Stephenson, sub-Commissioner of the records, who has illustrated it by notes drawn chiefly from manuscripts in the British Museum. The Lanercost Chronicle, a work of equal if not superior historical value, is now being printed, and will be soon published by the Bannatyne club, under the editorship of the same gentleman, and I could name other valuable works.

4265. Do you think that wealthy individuals would do any thing in this way?—I think they would; the second division I made of voluntary labour, referred to works published chiefly in England, to county histories, written by individuals of large fortune, which form a peculiar feature in the literary history of England. England is remarkably rich in county histories: their number is great; their value, I believe, very various; but amongst them, are certainly some works of high character, and got up at an extraordinary expense. In Scotland, a poorer country, there are few such works. The late Mr. Surtees, of Durham, has expended large sums upon his county history, and has produced a valuable work; so have other opulent gentlemen, at their own expense. It is the peculiar characteristic, no doubt, of these works to run into heraldic and family details, and these subjects, for purposes of general history, are not of first-rate utility, though by no means without their peculiar value; but what I contend for is, that if the Record Commission had done their duty, if the manuscript stores, existing in the country, had been thrown open and made accessible in the mode pointed out, then the labour, or at least part of the labour of individuals devoted to county histories, would probably have been brought to bear upon more valuable materials.

4266. Do you think that any thing would be done by professional authors, paid by booksellers?—I think certainly there would.

4267. It has been stated to this Committee, that the taste for historical literature is so low in England that the booksellers would give no patronage to undertakings of that kind; is that your opinion?—It is not; I am aware it is commonly said so; I have been met by the observation very often, that there is no demand on the part of booksellers, and no encouragement on the part of the public for works in the higher departments of historical literature: I have heard this alleged want of encouragement traced to the superficial character of the age, to useful knowledge societies, to family libraries and cabinet libraries; which, it is said, operate in depreciating the higher classes of historical literature: I think this, to a great degree, an erroneous opinion. The age may be made a little more superficial by some of these publications; the majority may be ephemeral (although I could mention, I think, some great exceptions), nor do I mean to say that you do not sometimes lose in profoundness what you may gain in diffusion; but I think, that if a work of the higher class of historical literature was offered to a bookseller just now, he being sure that it was drawn from authentic manuscript sources, there would be a great disposition to publish it: I believe, from what I have experienced myself, there would be encouragement, and perhaps more than is generally believed. I would draw a distinction here, between the desire for useful historical information on the part of the public and the demand for higher works of history on the part of booksellers; using the word "demand," as an order given for any

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any article, literary or not. At present there is no want of a *desire*, on the part of the public, for all kinds of useful information, historical information among the rest; but there is no demand for higher works of history among the booksellers, because the booksellers are aware that the fields where the commodity is to be grown, are shut up; they must be so aware, because they are in contact with literary men and the truth forces itself upon them. Unlock these sources, I would say to the Record Commissioners, and make them accessible; take the seals off the great repositories of national muniments; ensure their safety; abolish the fees; expel Mammon, who keeps the door; form good catalogues, and open the fields to literary men, be assured you will then find a change and a demand. In short, I trace the want of a demand for works of higher history to the circumstance that the few men employed upon it cannot now, without great sacrifices, get to the sources from which alone it is to be drawn.

4268. Do you not think if historians had access to these documents, and were to publish histories founded upon them, or extracts from the more curious parts of them, that in that way much valuable information would be communicated to the public, and in a form lucrative to the publisher and the author?—I do.

4269. Do you think that such a plan as that would have a tendency to produce a superficial knowledge of history, or that it would direct the attention and excite the curiosity of the public respecting the real authentic sources of history?—I think it would have an excellent effect upon the taste of the public. It would invigorate and purify it. If access was thus given, writers would come in who would find it delightful to concentrate their labours upon works of higher history, these works would probably be furnished at a cheaper rate, and would be more profitable both to the bookseller and the author.

4270. Do you not think that some recent publications, particularly our later historians, and such works as Sir Henry Ellis's letters, have already succeeded in opening the eyes of the public to the inaccuracies of previous histories professing to be Histories of England, and that they have excited the public curiosity respecting the authentic sources of history?—They certainly have; the able works of Dr. Lingard and Sharon Turner have, to a certain degree proved this, and had the plan suggested been followed, these writers would have done still more. The letters published by Sir H. Ellis, I have repeatedly consulted with advantage, both in earlier and later works.

4271. Do you think that owing to those causes a work so inaccurate as Hume's History of England, would find the currency in the present day that it did at the time it was published?—I do not think it would; I wish to speak with the highest respect of Robertson and Hume, two most eminent men. I have heard that the demand for their works is now much diminished, and I believe the fact is so, but I think that is to be ascribed, not to there being no demand for higher historical literature, but to these authors not having gone to the best sources from which historical truth was to be drawn: these sources were not open to them, at least not so open as that they could easily consult them, and therefore I do not mean to say, they are to be blamed. Hume, I have heard, was shown the stores in the State Paper office, or some other of the great Record offices, after he had gained a high reputation by the publication of his first volumes. He was in London, and about to continue his work, but his time was limited; he looked on the uncatalogued array of manuscripts in despair, and contented himself with those printed materials which were accessible. Cadell or Strahan was his publisher, and I have heard, the words he used were, "Cadell won't wait." Now, it appears to me, that the bookseller would have waited if these manuscripts had been made accessible to Hume in the way I have pointed out.

4272. You do not mean to have it understood that booksellers would find it a lucrative speculation to publish those works printed by the Record Commission, such works as the collection of Patent Rolls or Close Rolls, or Rymer's Fædera?—Certainly not.

4273. Those works would be published by clubs and wealthy individuals?—They belong to the same character, to a certain degree, as the works they publish, but the Close Rolls, the Patent Rolls, or the Pipe Rolls are on a scale of publication more adapted to a Record board.

4274. Sir *Robert H. Inglis.*] Have any works been produced by the associations you have specified, (the Bannatyne, Maitland and Iona clubs,) which works you would place on the same shelf with other works published at the cost and risk of individuals, such as Dugdale, Hearne and Prynne?—I would characterize such works

works as the Scala Chronicle, the Cartulary of Paisley, the Memoirs of Sir James Melville, and the Cartulary of Melrose, now printing, as quite equal in their own class, to most of the works of these great antiquaries, and superior to many of them. But the honourable member must not suppose me to say that any of the works yet published are to be ranked with the Monasticon, they are not of that character.

4275. The Duke of Buccleuch is now printing the Cartulary of Melrose?—He is; the Cartulary of Melrose is precisely one of the works which must always be published by associations or by some very rich nobleman or gentleman. It is one of those works which voluntary labour would have relieved the country from publishing; the expense of it will, I have heard, be very nearly 600*l.* or 700*l.*

4276. Mr. *Pusey.*] For what reason do you think it desirable that such works should be published by individuals?—It is desirable, in the first instance, that such works should be published in one way or another, because they are the true sources of history. It is desirable that these works should be published by individuals, or by such associations as I have described, because this mode of publication would have enabled the Record Commissioners to have devoted that very large portion of the public money which has been given them, to the formation of catalogues raisonnés, and to other objects of importance.

4277. You consider the publication of these records by individuals or clubs as extremely valuable in assisting the labours of the historian?—I do.

4278. You do not consider it sufficient for facilitating the labours of historians, that calendars of existing records should be made, however well and perfect they might be made?—I consider it essential that such catalogues should be *first* made; no one who has not been minutely conversant with the difficulties against which historians have to contend can be fully aware of the use of catalogues raisonnés. It must be remembered, that to construct them on the scale I have alluded to is not a matter either of very small expense or of very easy execution; it requires talent, previous knowledge, and a considerable expenditure. Yet after they are made (and perhaps, in some particular classes of works, before they are completed), I would advise the Commission to print.

4279. It being granted that these calendars are exceedingly valuable, and ought to occupy the first situation in the attention of the Record Commissioners, is it or is it not your opinion, that after the records are calendared it will still be desirable, with a view to facilitate the labours of future historians, that they should be printed and published?—Certainly. Having completed your catalogues, and ascertained your stores, I would print both selections, and collections of records which exist in a complete series, such as that fine collection of original documents, the Close Rolls, so admirably edited by Mr. Hardy, and the valuable work now in the course of publication by Sir Harris Nicolas; I mean the Privy Council books. It is evident, that after the first labour had been completed, there would be a second and very important step for any Record board to consider, namely, what would be the best mode of printing entire collections, or selections from those collections. I think the best mode in that view would be, to circulate those printed catalogues among historians, to take their opinion upon the works which they have found the desiderata, and proceed to publish those works. I do not mean to say, however, that a board which contained such men amongst its members, I mean historians, from their previous habits familiar with deciding upon the comparative value of historical materials, would not be the most efficient.

4280. You have mentioned there are some entire collections that you think would require publication; can you give the names of any of those branches of records?—Of records I may mention the Pipe Rolls, the Patent Rolls, the Close Rolls and the Privy Council books (already published), as indicating the class of records fit to be published. I think also, that such works as entire chronicles, written by individuals who lived at the time, with original diaries and journals, form one branch of publication, to which the board, in this second stage, would direct their attention. The Lanercost Chronicle, preserved in the British Museum, belongs to the class of works I should like to see printed. It is at present actually in the course of publication by the Bannatyne club, under the editorship of Mr. Stevenson. It is a chronicle which has much individuality in it, and therefore, as illustrating manners, it is of more value, than the Scala Chronicle. In many parts it is written by an eye-witness, in other portions the author refers to the testimony of eye-witnesses, and its accuracy is great. I have seen some of the sheets in manuscript, and would cite it as one of the order of works which would be worthy the attention of the Record Commissioners in their second step.

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4281. After the records have been thoroughly calendared, would there not be a considerable loss of time to the historian in consulting the original records; would it not be a great facility if he was able to refer to a portion of them in print?—I think it would. There must be a considerable delay of time to writers at a distance, even when assisted by good catalogues; yet, if engaged in a great work connected with English history, the historian, sooner or later, must come to London, and remain there. Living in a capital so rich in historical materials, his labours would be comparatively easy, if assisted by catalogues.

4282. The *Chairman.*] Do you think printing can be carried to such an extent within any reasonable amount of public or private expenditure as to enable an historical inquirer to dispense with researches among the original documents themselves?—I do not think so, unless immense sums were expended.

4283. Mr. *Pusey.*] Do you not think there are certain portions of records likely to be of great utility to historians, the printing of which would save them a considerable degree of labour?—I do; but I think the facts are quite consistent.

4284. The *Chairman.*] Do you not think if the Record Commission had discharged its primary duties first, that a great deal of the public expenditure, even for those useful purposes of publishing the most valuable records would have been spared to the public by the exertions of clubs or wealthy individuals?—I think that a great proportion of their money and labour would have been spared, had that mode been followed.

4285. Do you think that, judging from the works the Record Commission have printed, they have fallen into any errors owing to their not having, in the first place, discharged their first duty of arranging and calendering the records?—I think they have; I could point out errors in some of their works, which are to be attributed to premature printing. Had they been less precipitate, many errors in great works, now suspended, would have been avoided, and in some instances the works would never have been begun. I would cite the Fœdera Angliæ in its original edition, and in the edition begun by the Record Commission, and now suspended, as an example of the errors they might have avoided, had they performed what appears to me their first duty.

4286. The object of my question is this; I want to know whether the omission of providing catalogues has not only deprived historians of the most valuable kind of aid the Commission could have given them in their own researches, but whether it has not led the Commission into error in the works they have printed?—I think it has; and to make this clear, let me refer to the Fœdera Angliæ in its original edition, and in the modern edition begun by the board. The original edition by Rymer appears to me much too large, as it stands. Were I to classify the documents, and ascertain the historical value of their contents, I think I could convince this Committee that one-half, or perhaps even two-thirds of the documents might have been omitted; and that Rymer, had he been aware of the stores existing in the country, might have made some of the volumes of his work of higher historical value: he might have omitted documents which he has published, and which are comparatively of little use, and he might have introduced a larger proportion of documents which are extremely valuable. If, for instance, Rymer had been aware of the documents in the State Paper Office relating to the reign of Elizabeth, he would have made his 15th volume of the highest historical value, whereas in some parts of her reign it is meagre and bald in the extreme, and has been filled up with muniments, which appear to be of small value.

4287. Now have the Record Commissioners in their new edition rectified those errors?—I am now speaking of the reign of Queen Elizabeth; the Record Commission had not come down later than the reign of Edward the Third, when it was judged necessary, and on good grounds I think, to abandon the work; but I think there was a radical error in their original resolution to reprint the whole of the old Rymer. I do not think if Rymer had been examined critically by any competent judge, by any historian much accustomed to use the work, that the idea of an entire reprint would ever have been embraced; it would have suggested itself at once that that was not the mode in which a valuable edition of Rymer should be printed, but they would have printed a supplemental volume of the documents, which the catalogues raisonnés would have shown them existed in the country.

4288. Do you think they have committed any error with regard to any works they have printed?—I have not examined the three or four volumes of the new edition of Rymer critically; I have heard it stated that they have printed the blunders

blunders of the old even in the new edition, which if true proves that even the ordinary labour of collation with the originals was omitted, but I cannot speak from personal detection of these errors.

4289. Do you think that they can possibly make a complete work of it, printing as they do, without having more information respecting all the materials they possess?—No, I think it impossible.

4290. Are you aware that the work is stopped?—I am.

4291. Do you know for what reasons it is stopped?—I believe it was stopped because it was found to be imperfectly executed. It was discovered to be of little value to the historian; it was with a few very slight exceptions a mere reprint, so far as it went, and contained many reprinted errors.

4292. Are you of opinion that it is a matter of paramount importance to build a general depository for the records of the country?—I have been led to think upon that point, so far as it would afford facilities to the historian, but I am not aware of the difficulties that stand in the way of its being carried into effect, nor have I examined the subject of these difficulties with the minuteness or accuracy which would entitle me to give any decided opinion upon the mode of surmounting them; I can only say with regard to historians, that if the idea was realised, if in this capital there existed a great General Depository of manuscript materials, if there were catalogues raisonnés of its stores, and rooms for study and transcription, such a place would, in my opinion, be the most delightful that could be found; it would be sought with pleasure, and left with regret by many a literary pilgrim, and in its ultimate effects might go far to create a new era in the historical literature of the country.

4293. Sir *Robert H. Inglis.*] What is the date of the institution of the State Paper Office?—I cannot say exactly to a day or a year; in a preface to the first volume of the letters, lately published by the commission for the publication of State Papers, there is a brief history of the office; I think it was about James the Sixth's time.

4293. *The Chairman.*] Do you think that the delays which have been complained of on the part of Mr. Thomson have been owing to the want of such information which might have been communicated by catalogues such as you have described?—I do, at least I think a considerable portion of such delays may be traced to this cause. Owing to the want of catalogue raisonnés, Mr. Thomson labours a good deal in the dark, and no man I believe feels this more than himself. I know that when speaking to him of some of the collections which I had gone through, he appeared anxious they should be opened up by catalogues; he was desirous to have a catalogue of the stores of the State Paper office; owing to the neglect of the steps which I have pointed out; he has had original documents communicated to him, which had they been sooner found, might have been of great service. He has also, I have no doubt, often found such himself, which shows that even now his printing may be premature; all this I trace to the error committed by the Commissioners.

4295. He has published a fifth and sixth volume, which are found not to contain the information they ought to contain, and which he would have inserted if he had known of the materials existing in England?—Yes, such undiscovered materials did in fact exist in the State Paper office.

4296. Does not this show the necessity of first getting information of all we possess before we put any part in print?—It certainly does.

4297. Mr. *Pusey.*] Are you aware how far the publication of the work entitled "Materials for the History of Great Britain," will be affected by the existence or non-existence of the catalogues of our records?—By "Materials for the History of Great Britain," I suppose the honourable Member means Mr. Petrie's work; if so, I cannot speak with precision on the subject, because I am quite ignorant how far that learned man has carried his researches. This however is plain, that till the historical records and manuscripts of England have been arranged, and their contents examined, there will arise in the mind of every man engaged in so great a work as that of Mr. Petrie, a dread of premature printing; this dread of working in the dark and the fear of being obliged to cancel what has been printed, in consequence of some future discovery, must greatly embarrass the editor of such a work; how is he to know that in the unarranged stores of the Chapter House, in the turrets, or dark cellars of other repositories there may not be unknown and most valuable chronicles. If he could find out the chronicles that exist in Cambridge or Oxford, or Trinity College, Dublin, and other libraries, if the manuscript materials in Britain had been fully arranged and catalogued, Mr. Petrie would have gone on more rapidly with his work.

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4298. Would the libraries you have mentioned come within the cognizance of the Commission of records?—I use that as an illustration; I do not precisely know the exact extent of the powers committed to the Record Commissioners.

4299. Sir *Robert H. Inglis.*] You have referred to the State Paper office as not being accessible to literary and historical students; you have stated that those stores were not open to Mr. Hume:—will you state to the Committee, so far as you know the fact, whether the State Paper office be considered as a department of the Government, and whether the King's Commission in reference to the records, can give to those named in such Commission the power of entering that office, or of making any arrangement for its internal management?—I am quite aware that the State Paper office is peculiar in that view, that it requires an order from the Secretary of State to give you access, and I know that in my own case the order was immediately and liberally granted. I am anxious to state that from every officer in the establishment I have experienced the kindest courtesy and attention; at first it was stated that by the rules of the office I must specify the documents I required, and show the copies made; but an order from the Home Secretary soon remedied this, and now I have the fullest access; catalogues alone are wanting; and what I alluded to with reference to Hume was this; that when he had got into the State Paper office, even then he did not find himself able to reach the sources of historic truth; he saw the arrangements of the documents, but he had no facilities for consultation.

4300. Whatever may be the desirableness of a different arrangement of the stores in the State Paper office, or however expedient may be the making a catalogue of its contents for the use of historical students or general politicians, do you consider that the want of any such aid is to be attributed to the Record Commission forming the subject of the present inquiry?—Certainly not; I referred to the condition of the State Paper office as illustrating the duties which ought to have been performed by the Commissioners of records in remedying the defects of other offices under their charge, which duties they appear to me to have neglected. I am quite aware that the state papers are not under the cognizance of the Record Commission.

4301. And that the arrangement has been confided by the King to a distinct Commission?—Yes, which is publishing state papers at this moment.

Sir *Francis Palgrave*, called in; and Examined.

Sir *Francis Palgrave.*

4302. The *Chairman.*] WE were asking you at the close of the last examination what works you had published, or had prepared for publication, since the last arrangement was made with you by the Commission; have the goodness to state them?—Before I answer that question, you will perhaps permit me to give a few details with respect to my office. I wish to make my evidence with regard to the nature of the office more distinct and accurate than it was the last time. The office, according to its rules and regulations, is open three hours in the day, or from ten to one on working days; but it is not open during any of the old Exchequer holidays. There are now two working rooms in it, with fire-places, which were erected about the year 1800. Before they were built there was no room whatever in the Chapter House in which a fire could be lighted; therefore, it was hardly possible to do work in it during the greater part of the year, for even in summer the building is very chilly; and the persons employed in transcribing domesday, adopted strange expedients in consequence of the want of a fire-place. I am informed by a clerk in the office that one of the transcribers sat with his feet in a hamper filled with hay, and the publication of that work occupied ten years. I mention this to show that the office itself had been one not considered in its nature as requiring personal attendance; and in fact there was no possibility that the keeper could give personal attendance; there was no room for him. Under the present arrangements, made in connection with the Record Commission, the office is kept open from nine till four or five, and there is generally some one person there during these hours. That is one of the facilities that the public has obtained. They have obtained also full and free access to the records for historical inquiry. No difficulty is raised, and no fees taken; and any gentleman wishing to come and consult the records is allowed to do so by making a previous appointment, this is required to prevent too many persons being assembled together, the room being very small.

4303. Are the facilities you have afforded such as to make any distinction between historical and legal searches?—In historical searches I consider the office

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is entirely open to any respectable person that applies. With respect to legal inquiries I use a discretionary power. If I find a person engaged in an inquiry, the fees of which would amount to a considerable sum in general searches, I remit a certain portion of them; so that, if nothing is found, no fee, or only a small fee, is paid; and, in conformity with the wishes of the Record Commission, I have reduced such general fees to the lowest standard that I could with propriety. It would be my wish to reduce them lower; but, according to the usage of the office, half the fees go to the clerks; and I felt I could not go that length. The fees are very trifling, but I could not reduce them on some occasions so low as I could wish, half the money being the money of the clerks, and not mine; the money is divided among the clerks at the end of each year.

4304. Since March 1834 you have been acting under that arrangement, and receiving 600 *l.* a year from the Commission, in addition to your salary as keeper of the Chapter House?—I have.

4305. It has been stated to this Committee that you were for that sum to edit works at a rate fixed for an octavo volume by the Commission, to such an amount as to earn the payment of 600 *l.* a year; that is, in fact, that you were to produce in the first two years eight volumes octavo; and with the year before in which a similar arrangement existed, except that you had not then the custody of the Chapter House, it would appear that altogether you ought to have produced about 14 octavo volumes in the three years. Is that a correct view of the arrangement?—I never heard of any such rate until I came here. You recollect the order by which I am appointed: by that it was stated I was to be employed generally on such works as the Commission should direct. When I was first called into action under that new order, the printing of the Parliamentary writs was stopped by order of the Commission, and all the materials which I had been collecting for the third volume remained, as they still are, unemployed; and I was not allowed to go to press again with any new work until November or December 1833, two years preceding last December. In November or December 1833 I went to press with the rolls of the Curia Regis. I could not begin to print under the new arrangement till then. The first thing I was employed upon after the new arrangement began was making and perfecting the collection of foreign correspondence in the Tower.

4306. For what purpose?—Under Mr. Cooper's direction.

4307. For what purpose?—I suppose for the purpose of publication.

4308. Have they ever been published?—I delivered them over to the Record Commission, by Mr. Cooper's order.

4309. Have they ever been published?—Not to my knowledge; they have not been published by me. I think they would have made two volumes.

4310. Do you know the use that has been made of them?—No, I do not; I should have liked to have kept copies of them, but I was directed to deliver them over. You recollect I was directed to make three reports in a year to the Commissioners. Those reports have been regularly made, and they contain a detail of all the work I have performed, with lists of transcripts, and perhaps it would have been more satisfactory to yourselves to have had those reports before you, and you might have gone through them chronologically, and seen the progress of the works; therefore in giving evidence I do so under correction, reserving to yourselves and myself the power of supplying any deficiencies, or rectifying any inaccuracies from those reports.

4311. The foreign correspondence in the Tower, was the first work you were engaged upon?—Yes.

4312. You did not understand then, because we ought to have this explained distinctly, that there was any arrangement for your salary, and that you were to publish works at the rate of 150 *l.* per octavo volume, or to do certain work to be estimated by some peculiar process of calculation to the same amount?—Something of that kind was mentioned afterwards at a subsequent period, but it was mentioned quite incidentally, and recently; it never made any part of a substantive agreement; I would never have assented to it for this reason, you must be aware of the labour upon any work of the kind which ought to be produced by the Record Commission cannot be estimated by mere bulk; I might also have been employed most usefully for the Commission, from that day till the present, without being able to put a sheet to press. The security to the public against any waste of time is afforded by the committee of inspection, and the reports I make to them; my understanding was, that those reports were to give that security. One of the Commissioners

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I should be happy to name, said, "You must always be content to work very much in the dark." I was at one time very anxious to publish, he kept me back, and said you must be content to work in the dark. And I cannot consent to the proposition that the quantity of work printed is the standard of the value of the work or of the labour performed for the Commission.

4313. What do you mean by working in the dark?—That which the public was to see; that a party engaged in these works must be content to do a great deal with very little to show. I mention these circumstances to show that it could not have entered into my mind to engage to give a specific number of volumes.

4314. Will you tell us chronologically, what other work you have done?—The next work was the completion of those materials, founded upon a report presented to the Commissioners of Public Records in November 1822, in order to explain the nature and importance of the ancient Parliamentary petitions, as material for the constitution. History of England: the substance of it was contained in a report made in November 1822; it was thought of some curiosity and use by the Commissioners at that time, and I expected it would have been published by the Commissioners in a folio volume, as Mr. Caley's reports were.

4315. You mean a portion of a folio volume?—Yes, there was appended to that a copious list of petitions, and I re-cast it in the interim into this form.

4316. You also, in the interim, printed it in the Quarterly Review?—Yes, I did.

4317. This is the third time it has appeared in print?—Yes, and the oftener any historical work appears in print, with amendments and improvements, the better for the public.

4318. And the better for those who are paid three times over?—I was not paid three times over; I was not paid at all except by the editor of the review.

4319. Do you not consider it as payment, if it is part of the work done for your salary?—Not quite so, because the records are now added, and it is in a new form.

4320. You mention this as a part of the work you have done for that salary?—Yes.

4321. Was not it done ten years before?—Yes, it was delivered in as part of the work done.

4322. You then published the Curia Regis?—There are other things before that. In the next place I completed the collection and transcription of all the writs of elections and returns in the Tower, at least so far as they were produced to me, to the reign of Edward the Fourth, thereby completing the history of the House of Commons, as far as the records in the Tower extend. That was another substantive portion of work done under the new arrangement. I also finished working off the sheets of the second volume of the Parliamentary Writs, of which the printing had been stopped before the new arrangement began.

4323. When was that done?—I think that must have been done in the years 1833 and 1834.

4324. When were your labours on the foreign correspondence at the Tower going on?—Previously to November 1833.

4325. But in the year 1833?—Yes, I am sure they were previously to the end of the year 1833, say previous to November 1833. Then the next thing which I did, or rather which I am employed upon now, and which has employed me from September 1833 to the present time, has been the collection of materials for the publication of inedited documents relating to the history of Scotland, documents which have been passed over by Rymer, and have been found in the Chapter House.

4326. Has any portion been published?—Not published, a portion is printed.

4327. What are they called?—Inedited documents relating to the history of Scotland.

4328. Have you got them here?—No, the volume is not completed, but several of the sheets are printed. It is to those documents in particular, I would call your attention; as a reason why I should not think it expedient to be tried by the test of the mere bulk of work produced. I hope you will inspect these documents; the most valuable of them consisted of the original Petitions of Bruce and Baliol, the claims presented on behalf of those Earls of Scotland, and a great number of other documents of that description, were in such a state of decay that I could not put them in the hands of any transcriber; I was compelled to transcribe them myself, and to collate them myself several times. This work occupied so much more time than any copying from an undefaced record could possibly have done; that no general measure

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sure of labour could be at all afforded by them, only a small portion of the volume has yet been printed, and the completion of it, though it will be very small, will occupy considerable time, and hardly be completed before the end of the year. Then another work I have published, of which two volumes are completed, are the rolls of the Curia Regis; in those there is a feature to which I must also call your attention. To those rolls I have prefixed a certificate of examination, which in fact renders them an attested copy, and under which, as I conceive, they could be given in evidence in any Court, for I think that if a work is published at the public expense it ought to follow as a necessary consequence, that it should in future be received in evidence without putting parties to the expense of producing the original documents. I have put what is necessary to make it a certified copy, and I do not think, if it was tendered in evidence, it could be refused easily.

4329. Your signature is printed and could not be proved?—I was aware of that doubt, but I did it for this reason, among the things to be done, I think that there ought to be an Act applied for enacting, that every work printed by the Commission ought to be received in evidence, and this certificate would form the ground work for such an application. Besides that, I have printed three volumes of the ancient calendars of the Treasury of the Exchequer, of which the text is here completed; the indexes are in the press and the prefaces in preparation. I have besides that completed, under my inspection, planning and direction, though not by my own hands, the press catalogues of all assize and other similar rolls, particularly the county rolls in my office, and some other portions of other calendars detailed in my report, but the press calendars to the assize and county rolls, which is a very important one, is more than half completed; we shall complete it in the course of the year. Besides that, I have at various periods done small things for the Commissioners, transcribed a chronicle in the town clerk's office, and had a new transcript made for the press. I have transcribed an account of the ancient guilds, and prepared queries and certain papers for the Commission, the last of no great extent, but they are stated in the reports where you will find the details.

4330. Those calendars which have been laid before the Committee, what is the utility of them?—The utility is in giving you an entire view of the records of the ancient treasury of the Exchequer, showing the manner the repository was formed; the calendars show that it contained at a former period, and which will form the introduction to more modern calendars.

4331. Are they applicable to the present arrangement?—No, they are not applicable to the present arrangement.

4332. What is the utility, as an introduction to calendars, publishing on so large a scale calendars, which for practical purposes are now useless?—Ancient calendars of this description have been thought extremely curious: whenever they have occurred on the continent they have been printed, and they are useful in many other respects; because they tell you where the different documents were deposited; they tell you under what authority they were deposited; and they also give you very extensive information, as to a great number of things which exist no longer, and the contents of many documents in the office which still exist; they give you the indications of a great number of things now lost. It has been generally considered, in diplomatic studies, of importance to give inventories of that description; of course I have called them calendars, because that is their name; but besides that, in the second and third volumes you will find very curious lists of jewels, relics and other articles of value deposited there, illustrative of the manners of the period.

4333. Has it not been a very expensive work?—I know nothing of the expense; there are wood-cuts in the margin, representing the signs of the treasury; reading and writing were then very rare accomplishments, and instead of putting the name of the King of France upon the box containing the treaty, they put a sign of a fleur-de-lis, and the King sent his messenger to the sign. In one case I found a very curious relic of that kind (of which there is a memorandum in the book): in 3 Richard 2. King Richard bought a small piece of property at Berkhamstead, and there is a memorandum in the calendar, of its being deposited by the Lord Treasurer in *quodam hanaperio.* Upon examining a bag of deeds, a very small hanaper came out, with the deeds inside, and a small label, corresponding with the entry in the book and in the same handwriting. They will form an exceedingly curious volume. I ought to have mentioned one thing which is of importance as to the publication of those calendars: the selection, at all events, was not mine; when the Commissioners came to inspect the office, they directed the publication

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of them, you will find, in the report the Commissioners made upon my office; when I took possession, they specially directed the publication of those calendars; Mr. Williams Wynne thought them of very considerable value, and I believe the suggestion came from him.

4334. Those calendars have been printed by the special recommendation of the Commissioners?—Yes; who inspected them, and saw the original volumes.

4335. Were those guild certificates not copied by the corporation Commissioners?—No; they had no kind of relation to the corporation inquiries.

4336. What use will the Record Commission make of them?—I thought them curious; they were not known; there was a particular reason for collecting them; the greater portion were made in the time of Richard the Second; he was very suspicious of the political feelings of the guilds and fraternities, and issued a commission to inquire into them. I am sure you are exercising a sound discretion in asking these questions, and I shall never hesitate to answer them; but in all matters of this description, hardly any two persons will agree upon what is valuable; every man has his opinion. There are two or three main lines of inquiry, but to a certain degree they are conflicting; there is one set of inquirers, one very numerous and respectable, that attach themselves to genealogy, heraldry and county history; you have another class, that attach themselves to the manners and customs, and to objects of special antiquarianism; you have others, who think of constitutional subjects and legal antiquities, all of considerable importance; and you will perhaps find a fourth, who think that general historical inquiries resulting from chronicles, for instance, are of more importance than those special branches; if you take any one man from any one of those four classes, he will not attach much value to the materials of the three other lines; not think such inquiries are so conflicting as some people do; I am giving the opinion of other persons.

4337. In what state did you find the Chapter House, when appointed keeper of it?—Extremely neglected.

4338. Were the records in a proper state, as regards their preservation?—As far as the keeper could do it, the records of the Courts of Justice, the Curia Regis, the King's Bench and Common Pleas and all the assize rolls were, generally speaking, in tolerably good preservation as against damp; they were not injured by damp or want of care, but they were very much injured by the dirt and dust, particularly the ends. They were exposed to the air, in open presses, where many still are, and they were neglected, for it was impossible to keep them clean. Some, which I suppose were too near the wall, were affected by damp.

4339. In what state is the arrangement?—According to the different classes of the records of the Courts of Justice, in strict chronological arrangement, the assize rolls and the county rolls topographically and chronologically; the counties, by themselves, make one each, arranged alphabetically and chronologically; and those are very frequently resorted to, and could be found when wanted. Then, besides that, there was an arrangement in bags of miscellaneous records, relating to counties; that arrangement was a very ancient one. It appears to have been as ancient as the office, and it is not very inexpedient, as far as relates to the preservation of important records, but it is extremely destructive to the seals.

4340. Have you adopted an entirely new arrangement?—I have begun a new arrangement, as far as I can carry it into operation, but any efficient arrangement must depend upon the liberality of Government in paying for binding.

4341. What has the Commission allowed for this work?—They have not allowed any thing for the work of arrangement, as such, but they have made an arrangement by which a clerk is allowed an extra sum for extra hours.

4342. The Treasury allow 200*l.* a year?—The Treasury allow the different sums mentioned in the return.

4343. Can you state what has been expended in this work of arrangement?—Not distinguished from any other part of the expense; but I do not consider that any effective arrangement can be made till the greater part of them are cleaned and bound, and placed in pasteboard boxes, and to ask for any increased means till the Commissioners or the Treasury have decided whether they shall be bound or not, would be useless. Some of the most curious and important records in the office are the proceedings of the court of Star Chamber, bills, answers and depositions, and similar proceedings of the Court of Requests, and these are merely tied up in bundles, which contain papers and parchments of all sizes. It would be impossible

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impossible to use them without having them flattened out and bound; they constitute a large proportion of the documents in the office.

4344. Sir *Robert H. Inglis.*] Have you formed any general estimate of the expense which might be required for completing the work you have now in view?—Yes; I have written a letter to the Treasury, in which I have stated the details; and it will be more satisfactory to read them from that letter, which is addressed to Mr. Spearman.

Sir, 9 March 1836.

I HAVE to acknowledge the receipt of your letter of the 5th instant, in relation to the binding, cleaning and repairing the records in this repository, and by which letter I am requested to furnish your honourable board with a return, showing what proportions of the work, as above mentioned, have been executed, and what proportion remains yet to be done, accompanied by the best estimate that can be formed of the probable expense that would be incurred in continuing the work as heretofore performed; and I have further the honour, in reply, to state the following matters and particulars for the information of your honourable board.

The records in this office are of the most varied and multifarious description, both as to their contents and as to their materials and forms, and extending in date from the Conquest to the reign of George II.

The majority are of the greatest value as legal evidence, or as conveying historical information; but with very few exceptions, they were all, when I was first appointed to this office in April 1834, in a most dilapidated condition.

For the purpose of beginning to reduce the mass into order, and to render them useful and accessible to the public, I selected, when I had obtained authority in October 1834 to place myself in communication with the Stationery office, five of the most valuable classes as being most fit to be cleaned, repaired and bound, as will appear by the following specification; in which specification I have distinguished, 1st, The subject matter and nature of the documents; 2d, The quantity of work executed; and, 3d, The portion remaining to be performed: that is to say,

I. Rolls of the Curia Regis, King's Bench, Common Pleas, Justices Itinerant, Rolls of Quo Warranto, Justices of the Forests, Oyer and Terminer, Assize Gaol Delivery, and Coroners, &c., and other ancient judicial proceedings from Richard I. to Henry VI.

These rolls are composed of membranes of parchment, not attached *end to end*, like the Parliament or Chancery rolls, but gathered up in bundles, stitched or fastened together *at the tops*. In consequence of their being formed into this shape, the lower ends and edges of the membranes are very liable to injury, and have been much damaged.

Many of the rolls are very dirty, in consequence of their having been exposed in open presses, and the covers are ragged and torn. The vellum or parchment also has been often affected by damp; and it must be remarked, that whenever decomposition once begins in paper or parchment, it continues to creep on like the dry-rot, and the process of decomposition can only be stopped by sizing and binding; they require to be unstitched and taken to pieces, cleaned, sized and stitched again into rolls, and covered; and when completed, to be placed in boxes or cases of pasteboard.

Completed as above mentioned, or now in the hands of the binder, about	787 rolls.
Remaining to be done - - - - - - - - - about	2,750 rolls.

II. Post Mortem Inquisitions, Henry VIII. to Charles II.

These are ingrossed upon skins of parchment or vellum, of very unequal sizes, and filed in bundles according to years and terms; they have no covers or other protection against injury or loss, the membranes being merely strung together on the file. These have also been exposed to the air in open presses, and are much injured by dirt and damp.

In their present form they are also very unmanageable, and cannot be conveniently used. These documents require to be cleaned, pressed, sized and bound in volumes.

Bundles of Inquisitions repaired and bound, or in the binder's hands -	32
Remaining to be bound - - - - - - - - - -	90

III. Orders, Decrees, Minutes and other proceedings of the ancient judicial Committees of the Privy Council, commonly called the Court of Whitehall, or the Court of Requests, Henry VII. to Charles II.

These are contained in paper books of different sizes; they were deposited in this office by virtue of an order of council under the sign manual, 1 May 1732, and are there stated to have been with other documents also removed "in certain rooms in His Majesty's Palace at Westminster, in the possession of the Usher of the Black Rod." Having been brought here in a state of decay, they have become worse and worse. Several of the volumes had fallen out of their bindings, and were dropping to pieces, and the pages were moulding and crumbling away; they require to be inlaid, repaired, sized and bound.

Volumes repaired and bound, as above mentioned, principally large folios -	46
Volumes, principally of a smaller size, remaining to be done - - -	180

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IV. Proceedings of the Court of Star Chamber, Bills, Answers, Interrogatories, Depositions, &c.

The bills and answers, interrogatories, depositions, &c. are upon parchment or vellum; the depositions and exhibits often upon paper. They are tied up in bundles without any covers or fastenings, and are very dirty, in consequence of having been exposed to the air in open presses, and are, altogether, in a state in which they can neither be used nor consulted with safety or convenience; the bundles, when untied, offering only a heap of loose membranes and leaves of unequal sizes, and often ragged, crumpled and torn.

These documents require to be cleaned, sized, pressed and bound in volumes; they extend from the reign of Henry VIII. to the reign of Charles I.

Of the reigns of Henry VIII. and Edward VI. as many have been bound, &c. as compose	8 folio volumes.
Remaining to be bound, as many documents as will make about	20 —

(The subsequent reigns have not been calculated.)

V. Treaties and Diplomatic Instruments, Papal Bulls, Privy Seals, Privy Signets, Petitions to the Council, Charters and Grants, Documents relating to the ancient continental possessions of the British Crown, Accounts of the Revenues of Crown Lands, Inventories of Goods, Surveys of the Royal Palaces, Ministers' Accounts, foreign and domestic, State Correspondence; all of various dates, from Henry III. to Charles I.

The greater part of these very valuable documents have been exceedingly injured by damp, dirt and neglect. Some of the most curious are crumbling into dust. They have neither covers nor any other protection against further injury, and are generally so crumpled, ragged, loose and torn, that they cannot be consulted with convenience or safety. These documents, to which seals are appendant, require to be cleaned and sized, and placed in cases, tucks, solanders, or other covers best adapted to their size and form; the others require to be cleaned, sized, and bound in volumes.

Bound and placed in cases as above	98

No accurate estimate can be formed at present of the number remaining to be done, and the documents with seals differ very much in size and nature, and consequently as to the manner in which they are to be disposed of.

As far as I can make an estimate from the expense hitherto incurred, I should think that it will require at least 7,000*l.* more to bind, clean and repair the remaining documents belonging to the five classes already began. Of the large sums which have been voted to the Record Commission for binding, not above 400*l.*, if so much, has been appropriated to this office from the first beginning of the Commission to the present time. The favourite offices of the late Mr. Caley were, the Augmentation office and the Rolls, and upon these offices, and subsequently upon the records brought from the King's Remembrancer's office, the monies granted have been expended; hence arises the magnitude of the sum now required.

With respect to the expediency of the outlay, I can assure their Lordships that there is no medium whatever between making the needful expenditure, and abandoning the records to decay and destruction, and that the longer the requisite processes are delayed, the greater will be the expense ultimately to be incurred.

In their present state, the great majority can neither be preserved nor arranged, nor even consulted.

The importance of the classes hereinbefore specified is sufficiently apparent, from the mere enumeration of them; and if properly bound and put in order, they will constitute a collection secondary only to those in the British Museum in value and importance.

Much has been said upon the expedience of erecting a general repository for our ancient records, but the first and most important step is to do the needful for the preservation of the records themselves. All that is required at present is a temporary repository, into which the records may be drafted as they are bound. The presses lately erected in this office are susceptible of removal; and, if in the new buildings intended for the Houses of Parliament, a few rooms could be spared for the reception of such presses, this arrangement would effect all that is now really required in the way of building.

It is not one of the least recommendations of the plan of previously binding the records before erecting a general office, that their bulk is much reduced by this operation, and that the space required for stowage can be calculated with greater accuracy.

And in communicating this letter to the Record Commissioners in my report, I added the following observations:

I have not yet received any reply from the Treasury, but I trust that their Lordships will not refuse an expenditure by which alone the records of this repository can be rendered useful, or preserved from destruction.

The Board will observe, that the preceding estimate does not include the expense of cleaning, repairing and binding the Star Chamber proceedings of the reigns of Queen Mary, Queen Elizabeth, James I. and Charles I., and it is likewise exclusive of the expense of repairing, &c. the bills of Privy Signet and Privy Seal, Henry VIII. to Charles I. the accounts and depositions, and correspondence of the court of wards and liveries, the chirographs of fines, Hen. III. to Geo. II., and the Pell Rolls, and other revenue rolls of the Court of Exchequer, and other documents relating to the Crown revenues, all of which it is

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very expedient to bind and put in order, though the necessity is not quite so urgent as with respect to the several classes mentioned in my letter to the Treasury; and I cannot estimate the expenses of completing them at less than the further sum of 7,000 *l.*

This is not my province to estimate what may be required for binding in the other record repositories. It is sufficient to observe, that in this repository alone it far exceeds any funds which the Board can expect to have at their disposal; and that unless the binding, &c. be performed through the Stationery office as a portion of the general business of the public service, it will not be done at all.

It would, therefore, I think, be highly expedient that the Board should communicate with the Treasury on the subject, so as to effect some permanent arrangement.

In such arrangement it would be desirable that the Board should be authorized to depute some fit and proper person to attend at the workshops of the binders employed by the Stationery office, for the purpose of directing and superintending the workmen. Mr. Charles Devon now attends for this purpose at the binder's, but he is thereby compelled to absent himself very much from the office; and such superintendence is a duty which, if the binding be carried on upon the requisite scale, will afford full and constant employment for one individual.

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4345. Have you not been making continual representations to the board to afford you further facilities in your office to remove certain obstructions?—Do you mean obstructions in the building?

4346. No, I mean obstacles to searches?—I removed all obstacles in my office as soon as I came; I had no necessity to apply to them for authority, possessing sufficient in my own person.

4347. Did you make any representations as to the building?—I made several representations, but I do not think in a very definite way; there is a vaulted passage that leads to the cloisters, and it appeared to me when I came to the office that that portion might be altered, so as to form a good office, and it was surveyed by the Board of Works, they found the expenses too large; alterations might have been made, but at an expense that the Board of Works or the Treasury did not think fit to entertain; they complied with my request to have the building surveyed, but the expense was too great.

4348. The *Chairman.*] It has been stated to the Committee that while you were under this engagement to the Commission you acted as a corporation commissioner, did you consider the holding those two appointments upon commissions under Government compatible?—Most certainly.

4349. Did not the time occupied in your duties as a corporation commissioner interfere with the discharge of your other duties?—Most certainly not; if you wish for any details upon the subject I can give them, subject to correction from my reports.

4350. I wish for them?—You recollect the stipulation in my retainer by the Commissioners; in the first place I must call your attention to the fact, that under the former Commission there was no stipulation as to the quantity of time I was to give; I received in proportion to the work and labour performed, and no stipulation as to time was made, but having the stimulus of turning the whole of my time to account, I did employ the whole of my time, and to such an extent that I never made any vacation until 1833, for when I went into the country my papers were taken with me. The only employment that took me off for a time was small Parliamentary business as a barrister to a trifling amount; I employed my whole time in the service of the Record Commission, because the remuneration was such as made it worth while in the whole. When the negotiations for the new arrangements were going on, I stated amongst other things that I would not offer any reduction, but if they chose to put me under duress, and compel me to accept terms, I should do so; but if I did it, I should do it under such a reservation as should enable me to give the Parliamentary Session to Parliamentary business as a barrister, that was the employment I had most immediately before me at the time; the secretary and myself considered in consultation at the time, and I think some of the other Commissioners also, in what form my retainer could be best worded, so as to give me the benefit of such reservation, and it was worded in the form which you will find it; now in making that stipulation with the Commissioners, I considered I was dealing with a body of gentlemen, and if the work was fairly and honourably performed they would give me that kind of accommodation that the spirit of the agreement required; for instance, that if in the course of 12 months or 18 months a quantity of work was fairly performed, the peculiar era or period at which it was performed was of no consequence, but I expressly reserved to

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myself the employment of so much time as I have mentioned. My employment in the Municipal commission began in September 1833; from September to December 1833 my attendance was at Guildhall from one till four or five o'clock; I attended the preceding part of the day at the Tower or the Chapter House, and made memoranda of my attendances; then the commission sat, and during the time of the public sittings at Guildhall; I used to go to the Chapter House between eight and nine in the morning, which I had opened for me; I used to take papers home in the evening, and after I was appointed keeper I occasionally took a record home with me, keeping it in my own personal custody, in a tin box locked; the sittings closed in March, and there has been no other time given, except what I gave in the evening, till we resumed our sittings for a month in September and October 1834, and afterwards occasional attendances at the board. But that after all is not the question; the question is not as to the quantity of time I did so employ in the Municipal commission; I might have employed the time in running about the country if I had chosen; the question is whether I have given the Record Commission time and sufficient work for the money received.

4351. The question is whether an agreement which could have admitted of your taking upon yourself such a business as that of a Municipal commissioner, and under the Record Commissioners is one in which the public has been fairly dealt by?—That must depend upon the quantity of attention given to their business.

4352. The work upon which you were engaged during the Corporation commission was at the Tower?—No, it was at the Chapter House, the Curia Regis.

4353. Were not you, during the time you were a Corporation commissioner, occupied upon some of that specific business respecting the foreign correspondence at the Tower, and the transcribing of the writs to Parliament?—No, only to a very small extent; the transcription of writs went on in March or April, but the foreign correspondence was completed I think before August; I then went abroad for a month, and returned to the Corporation commission, and then the rolls of the Curia Regis began.

4354. The time you remained at the Tower during those sittings of the Corporation commission was very small?—About three hours a day, when I went there.

4355. On an average about three hours a day at the Tower?—Yes.

4356. During the sittings of the Corporation commission?—No, from that time I went less and less to the Tower, and more to the Chapter House; I removed half my establishment of clerks to the Chapter House in September 1833, to go on with the Curia Regis.

4357. Up to that time the Corporation commission did not begin?—Yes, it began in the middle of September; I have memorandums by which I can give them. I cannot charge my memory with details, but in October the Curia Regis rolls began, and in September I removed two of my clerks to the Chapter House, to have them there near me. I lived in Duke-street, and they went to work upon them whilst I was sitting as a Corporation commissioner, and no work of any importance has since been done by me at the Tower, except the completion of the Parliamentary Writs has been done since that time. I was appointed to the Chapter House in April 1834, and since that time I have been uninterruptedly employed at the Chapter House. I reported to the Commission, when I withdrew my clerks from the Tower wholly.

4358. You mean to state that your employment as a Corporation commissioner, cannot have been inconsistent with your duties as a sub-Commissioner, under the Record Commission, because you have supplied the same amount of work as you had considered yourself bound to supply?—Yes, I have so done. If instead of taking the employment as a Corporation commissioner, I had chosen to amuse myself by going into the country, I might have done so. I took no more time for the Corporation commission, for which I was remunerated, than I should have been entitled to take under the terms of my agreement, such as any employment at the bar, or reading at home for my own amusement, I took no more time for my employment under the Corporation commission, than I should have taken if I had been enabled to get into business and employed myself during the Parliamentary session as a barrister; and in 1834 and 1835 I made no vacation, because I took my papers into the country.

4359. You were editor of the Parliamentary Writs?—Yes.

4360. In

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4360. In the course of this work, have you found that your labours were perpetually impeded by the want of arrangement existing in the record office?—I would rather decline answering that question altogether; you will excuse me saying that it is hardly right to call upon a person in my situation to say what might apply to other persons; if you press me to the question, I must answer it. Being employed under the Record Commission, I do not think it delicate to make remarks here upon other persons employed upon records; a person holding a confidential situation should not avail himself of his opportunities to make remarks upon others; and I think the good to the public will be more from my refusing to answer than by discussing irregularities.

4361. As an editor under the Record Commission, did you find the want of arrangement deprived you of your materials or impeded you?—Certainly; if the arrangements had been made more perfect I should have had more materials at my command.

4362. Do you think that your work has been the less perfect in consequence of not knowing the materials that existed ready to your hands?—Yes; but my work is of a peculiar nature, and the Commissioners, with their powers, could not have removed the difficulties.

4363. Does not that show the impolicy of publishing the works till a better arrangement is made?—That is a very wide question.

4364. Do you not think that publishing such a work as the Parliamentary Writs, the materials for which lie scattered about, in the present want of arrangement in the offices, the Commission is always liable to obstacles that arise from that cause?—Yes, but if you wait till a complete arrangement is made, human life could not be adequate to the production of any record work. I think it better on the whole to give an imperfect work to the public than to consume a much greater number of years in giving one more perfect; you do not give it as a perfect work, but leave another generation to perfect it when they can.

4365. Have you had any young transcribers from the school of young transcribers?—I do not know of any school of young transcribers. I have educated young men, I have taken them from Christ's Hospital, and I have found that they have turned out much better for business than those educated at any other schools.

4366. Will you state your opinion of the record offices, and the necessity for a general office?—Though I believe the erection of a general office would be a thing of great ornament, still I think that considering only a limited sum can be afforded for this branch of the public service, it would be better in the first instance that the Government should grant what they are disposed to do for binding, cleaning and repairing the records in the present offices, and then carry them in a perfect state into the new office, rather than building at once and carrying them in, in an imperfect state. As I have said in my letter to the Treasury, they will be reduced into a much smaller bulk and be susceptible of a better arrangement. It would be expedient in the first place for Government to grant whatever may be necessary to bind and preserve the records in the present offices, and then to draft them into a general office, and any money expended in the erection of a general office, before that process of binding is completed, would not be laid out to so much advantage as if expended afterwards.

4367. Are you not of opinion the building of a general record office is a matter of the greatest importance?—No; I consider such an office would be an ornament; in a national point of view it would, but not very important in a practical point of view.

4368. Not for searching?—No, the number of searchers is so small.

4369. Nor for the security of the documents?—Yes, for security; I should correct myself there, though the Tower is secure, and some other offices.

4370. Are not the offices dark and incommodious, and are there means for a proper arrangement?—They might be bound and transferred to a safe store house till the whole were bound.

Mercurii, 18° *die Maii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Pusey.
Right Hon. C. W. Williams Wynn.	Sir Charles Lemon.
Sir Robert H. Inglis.	Dr. Bowring.

MR. CHARLES BULLER, IN THE CHAIR.

Joseph Parkes, Esq., called in; and Examined.

Joseph Parkes, Esq.
18 May 1836.

4371. *Chairman.*] YOU are a Solicitor?—I am.

4372. I believe you have also paid a good deal of attention to historical literature?—I have, in some degree.

4373. In your professional capacity have you ever had any occasion to search the records in record offices?—Frequently.

4374. In what offices?—The Rolls Chapel and the Hanaper Office, the Chancery Offices, and occasionally in the Tower; but I used to do it generally through the medium of Mr. Illingworth in the Tower.

4375. Are the records in those offices properly accessible to searches?—I do not think that they are, under the present regulations.

4376. Of what do you think that searchers have a right to complain?—I think they have a great right to complain of the want of personal access to the indexes to make the searches, and the heavy charges for searches, particularly at the Rolls Chapel; and that they have some right to complain of the expense of the transcripts. I speak particularly with reference to the Rolls Chapel, which I consider to contain important records, connected with a great many public and private rights, connected with the property of the country, and with municipal rights especially.

4377. Have you ever experienced, in your professional practice, or known your own clients or other parties incur great expense or delay, or doubt and inconvenience, caused by the inaccessibility of the records?—I have known very great expense incurred. I have had cases in the Court of King's Bench, connected with the charters of one or two boroughs, in which the first and original proof of the charter is accompanied with considerable expense, as we are obliged to produce office copies, and also accurate translations of them, the cost of which is very considerable. I have also had occasion to perceive the inconvenience of not being able to procure a partial extract of a record. I have known cases connected with moduses and tithes, and manorial rights, and rights of manors, for which we have only wanted particular extracts, and I believe the general doctrine of the offices is, that you must take the whole and not any extract. We are therefore put to the expense of full copies.

4378. Reference is constantly obliged to be had, in suits at law and equity, to original records, in cases relating to pedigrees, to ancient rights to property, to tolls, fairs and to tithes?—And also to records of former Chancery decrees; a great deal of very necessary and important information is frequently derived from the records of equity. Decrees of former Chancellors and very important documents exist in the Enrolment Offices of Chancery.

4379. And reference, in those equitable and legal proceedings, is a matter of every day's occurrence?—Yes.

4380. The inaccessibility of them, and the doubt and difficulty that exist in the searches, is a matter of every day's annoyance and mischief to the suitors, is it not?—Yes; I should say more particularly with regard to the matter of expense, because I think there is great facility in regard to time in discovering them; for example, I have never been to the Rolls, in which, in the course of half an hour, if I knew about the date, that I was not informed whether the required record was in the office; and if it was in the office, I have always been struck with the remarkable facility with which it was produced, and the perfect state in which it appeared. This is remarkable in that office.

4381. In cases affecting ancient municipal rights this inconvenience is felt?—Very much indeed; and I should say the majority of the governing charters of the towns were unknown until lately; that few of the inhabitants in any of the boroughs appeared to have been acquainted with the contents of their last governing charter, particularly the more ancient charters. I do not say what proportion, but a very large proportion of the governing charters of the towns were secrets in the borough chests in the custody of the town-clerks. In some of the towns the governing charters were printed; in others it was altogether a matter of uncertainty whether they were existing; and I do not know, with few exceptions, any good collection of charters of any borough; but they are all matters of record in the Rolls from a certain date, and the early charters, before Richard 3, are in the Tower. Another important subject, in regard to the towns, is the old tolls, the majority of which are in the Tower. Tolls taken in respect of stallage and picage, and in ports, are matters of very frequent litigation in the Court of King's Bench, and they are very valuable records; also the rights to rivers are matters of very frequent occurrence.

4382. Manerial rights?—Yes.

4383. Is it not your opinion that a great deal of litigation would be prevented if ready access was afforded to these sources of information?—I think much might be prevented; and one of the most useful objects of the Record Commission, instead of their more expensive works, would have been the printing of the indexes of the several offices. Such a publication would have been very useful and saved great expense to the searchers, and we never knew any reason why the indexes should not have been printed of such as were prepared; and where not prepared, why they should not have been made. The expense of searching the Rolls is very expensive; it is 1 *s.* a year. We can compound for 5 *l.* We have not the liberty of searching ourselves. The officer searches, and although I have no doubt that the officer, from habit, is a perfect searcher, it is not the most satisfactory way in which a professional man can ascertain whether there is or not a document; for instance, in searching parish registries, we cannot always send a clerk to search, because we know that, not having a very responsible situation, he may be negligent or careless, and that he will not search twice. I have made searches in parish registers myself at very great inconvenience, to satisfy myself that there was no record, and to prove it in person. If an accurate index was published of all the valuable public records, it would be of much advantage to the profession. A great number of usurpations would also be prevented, because the public in the country, finding a right asserted, either by the lord of a manor or a corporate or public body, conceive that they have a general title to the matter claimed, when such title may be altogether wanting.

4384. Have you had occasion to consult the records for literary purposes?—Occasionally I have; but more historical manuscripts than records.

4385. Do you not think that providing better and ample catalogues of the contents of the record depositories would be the greatest service that the Record Commission could render the country in an historical point of view?—I do. I think it the most practical and important object of such a commission, with an expenditure of such an amount of money, first to inform the country what the records are, and then print the indexes, which is the first step to the knowledge of their contents; and I think a great deal of inconvenience results from the scattered situation of the records. In many matters of professional inquiry it is difficult to discover in what office to make the search. We often pay the fees of two or three offices for want of knowledge of the real depository of the records, and I dare say that in many instances records that do exist have not been discovered.

4386. Are you aware of the state in which some of the records are kept?—I know some years since some of the records in the Tower were in a very disordered state; I have not been there of late years. I have before stated that the records in the Rolls Chapel are very accessible.

4387. Do you know the state of the records in the Exchequer offices and the Pipe-office?—No. I know the state of the records at different periods in the Chapter-house, and in the Record-office, now pulled down, in which I should think it was impossible to find five per cent. of the records; I mean if you went for particular inquiries. I do not know the comparative utility of them

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if found, but they were some years since in a state of great disorder and confusion; they seem to be making great progress in the Chapter-house now in arrangement. I think that one of the most valuable objects of the Record Commission would have been, some years since, the publication of the municipal charters, extracts from the more ancient charters, and entire prints of all the governing charters; that would have been invaluable in many towns.

4388. You are of opinion that the building a general record-office would be a matter of paramount importance?—Yes, I have always been of that opinion, and that it would very much diminish the expense of keeping them.

4389. You were secretary to the Corporation Commission?—Yes, I was.

4390. In the course of that inquiry, had you to search in the record-offices, or would it have lessened your labour if you had been able to search in the record-offices for the charters of the boroughs?—I think we might have introduced a different class of information, if we had had readier and cheaper access to some of the record-offices, but I cannot say that our necessary search in the offices was very extensive; it was only where our commissioners in certain boroughs could not gain certain information of the charters, or where it appeared there had been subsequent charters granted to the one under which the corporation were governing; and in some instances searches were made at the Rolls, and copies obtained; but notwithstanding we were a King's Commission, the office charged us for the searches and the copies, and that circumstance much limited me in sending for a great number of documents which I should have otherwise sent for, not to print them *verbatim*, but to ascertain their contents I employed Sir Francis Palgrave several times in making searches.

4391. Were Sir Francis Palgrave's municipal services at all impeded by the fees and other difficulties in the offices?—On the occasion of the first searches for the Corporation Commission, Sir Francis Palgrave came to me and told me he did not think that the Rolls ought to charge for search or transcripts, except the clerical expenses. I was of the same opinion, and I think we passed a letter or two with the Rolls officer or the Government about it; but we ultimately had to pay for transcripts on an account made out to us.

4392. Are you aware whether in general, when Government requires information for public purposes, (I do not speak here of those cases in which the Government is a party in courts of law, but for public inquiries and other public matters), it is obliged to pay the same fees as individuals who want information?—I should apprehend they do; I know as solicitor of the Charity Board I cannot, as representing the Attorney-general, obtain office copies without paying the usual fees, though it is for the Crown.

4393. I speak of cases not connected with suits?—I cannot speak to that.

4394. Do you know whether among the records there are any documents giving information on the subject of charities?—I should say there are comparatively few; the majority of charities are private endowments by private deeds, but there are numerous questions arise in suits in which public documents are essential proofs.

4395. Sir Francis Palgrave was a commissioner under the Municipal Board?—He was.

4396. When did he first begin to act under that commission?—The date of the Corporation Commission is the 18 July 1833, but it was not till the first week in September that the commissioners' circuits were arranged, or that they assumed their avocations. Sir Francis Palgrave commenced a week or two later than the other commissioners; he was the only commissioner who did not take a circuit in the country; indeed I believe a country circuit was inconsistent with his then other avocations. He commenced with us his work about the middle of September 1833.

4397. He had to conduct the inquiry in the city of London?—Mr. Blackburne committed to him in the first instance the task of reducing and investigating the constitution of the City corporation, for which purpose, from the middle of September till the middle of December following, he attended, I believe, almost every day, in the City, generally from one or two o'clock till four or five, at the Town Clerk's office, where he read all the records touching their constitution and bye-laws, and made extracts from them, in order to prepare that part of the documentary inquiry into the City corporation.

4398. How

4398. How many hours a day was he occupied in this part of the business of the commission?—I cannot state that accurately; I can state generally the time he devoted to it. I have stated the engagement from September to December following, in which he was generally from one or two to four or five o'clock at the Town-clerk's office.

4399. About three hours a day?—Yes, I should think upon the average; then when the country commissioners completed their circuit, Sir Francis Palgrave was named as one of four commissioners by Mr. Blackburne, the chief commissioner, to take the public inquiry on the corporation of the city of London, and then he resumed his employment with us, and attended the public sittings part of December, January and February 1834; it must have been December 1833 and January and February 1834; on those occasions he sat, on the average, four or five times a week, from 10 or 11 to three or four on the public inquiry, in company with Mr. Jardine, Mr. Ellis and Mr. Drinkwater.

4400. Had he, in addition, any work besides that which was done in public?—During that time he had to collect the constitution of the City companies, that is to say, circulars were addressed in my name to all the City companies, to return to me their constitution and bye-laws; he had the arrangement of them, and after the spring of the year 1834, he sat a month at Guildhall in September and October 1834, for the purpose of collecting those companies' returns, and upon a few of them there was a public inquiry; he made a reduction of their constitutions, which I think runs in print to 400 or 500 printed folio pages, which certainly must have formed rather a laborious occupation; he also made some abstracts of the bye-laws. That completes nearly the detail of his occupation with us, except that he attended a few meetings on the general report, and he has been intermittantly meeting now and then the other three London commissioners on the general report on the City corporation, which is not completed; it is in type; but when I make this statement of his public occupation as to his day-time work, I should not do justice to him if I did not say probably he has had to give other time intermittantly of days and evenings not known to me.

4401. A considerable portion of time?—I cannot speak to that; he is the person to give that information.

4402. During this period what was the salary he received as a commissioner?—The salary assigned by Mr. Blackburne was a calculation upon their real time and labour devoted to the commission, but no fixed salary; they were not paid periodically during the duration of the commission; the commission can hardly be said to have been completed till the session of last year, when the Corporation Bill was passed, but the remuneration of the different commissioners, who were 20 in number, averaged variously from about 600 *l.* Mr. Charles Austin received the minimum, 500 *l.*, and Sir Francis Palgrave received the maximum of the City commissioners, which was for the whole of his services, 1,000 *l.*, for the labour I have mentioned, which was, as I before observed, the maximum received by any commissioner excepting Mr. Drinkwater, who received 1,200 *l.*

4403. That was for the general report?—Yes, that was for extra time he devoted to that document, and I think a very inadequate sum; he, Mr. Drinkwater, was constantly for more than two years in the commission work.

4404. Sir Francis Palgrave's payment was entirely for those inquiries?—Yes, for those periods of application I have mentioned.

4405. Can you state what the period appears to be?—No; I made the notes on which I have just stated particulars to the Committee with him.

4406. Sir *Robert H. Inglis.*] It has extended to about two years?—More than two years in regard to time, because he is now occupied in correcting the sheets of the City reports with the other commissioners, which are not yet complete. It is two years and seven months, but the occupation was very intermittant in that period.

4407. *Chairman.*] Does it amount to a year altogether?—No; I should think he has not given 12 entire calendar months' attention to it; I should say it would not amount to 12 months' continuous attention to it.

4408. Does it appear to amount to eight?—I should say it was seven or eight months.

4409. That would make it at the rate of more than 100 *l.* a month?—Yes.

4110. For the payment of 100 *l.* a month, did you require the application of

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the whole time of the commission?—No, we did not; because we knew he had other avocations.

4411. With regard to the commissioners generally?—With regard to the commissioners generally, we certainly required that they should devote their whole time to our commission exclusively till they had completed their country circuits, but on the completion of their circuits they sent in their reports according to their convenience, and I am not aware that any one of our commissioners, with the exception of two or three who went to one or two sessions during the period, left his ground before completion of the inquiries.

4412. Have you any further information to give the Committee respecting the objects of this inquiry?—No; I was not aware the Committee were going to ask me any questions at all upon the subject of the records. I think it is a matter of great regret that the statutes were not printed in a more convenient and less expensive form, it would have been extremely useful to the profession; but the cost is very great, and the cost of the Parliamentary Writs and Chancery Rolls is very great to what it might have been if they had been printed more cheaply and circulated more extensively.

4413. You think the utility of those works, as a professional and literary man, is very much diminished by their great cost?—Yes; and I should think their utility is very partial indeed; taking the product of the Record Commission as a whole that many matters have been left undone that would have been more valuable, and many matters have been done that are not of any practical utility. I do not mean to say that the works, more or less, are not curious and interesting to the antiquarian and historian; but certainly for the cost at which they have been produced, a vast deal more good might have been done to the country, and if part of the money the works have cost had been laid out in a building for the common custody of the records, and if indexes had been published, and if more free access was thus given, the public would make the more valuable and extensive use of them, as they have done lately in the State Paper-office, in extracting a great variety of information collected there in the last few years.

Henry Cole, Esq., called in; and Examined.

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4414. *Chairman.*] HOW long have you been in the employ of the Record Commission?—I have been wholly and without cessation engaged in the employ of the Record Commission between 13 and 14 years.

4415. When did you first enter it?—In the spring of the year 1823.

4416. You are not now in it?—I am not.

4417. When did you quit it?—In December 1835.

4418. That is a period of nearly 13 years?—It is.

4419. In what capacity were you in this employment?—In various capacities; for a period of rather more than nine years I was engaged with Sir Francis Palgrave, and, indeed, was introduced by him to the Commission.

4420. Sir *Robert H. Inglis.*] When you say "engaged with Sir Francis Palgrave," will you explain to the Committee under what circumstances you were engaged by him?—Principally in assisting in the editorship of the Parliamentary Writs, as his clerk. About a year after the present Commission was issued, I assisted Mr. Hardy for some months in the transciption of the Close Rolls at the Tower; in January 1833, Mr. Cooper induced me to enter the direct service of the Commission. From that period until December 1835, I have been engaged, as a principal without any superintendence and without any direction from any other person whatever, in performing each of those duties that his Majesty's Commission attributes to a sub-commissioner, namely "in methodizing, regulating, and digesting records," in preparing the composition of calendars and indexes, and also in superintending printing.

4421. *Chairman.*] In these works were you under the immediate superintendence of Mr. Cooper?—I cannot understand the term, as used by Mr. Cooper, because Mr. Cooper never interfered with me otherwise than paying me, as secretary to the Board.

4422. What is the meaning of the phrase in the Return to Parliament of August 1833, that you were occupied under the "superintendence of the secretary" at the Augmentation-office?—In that Return, the secretary states that "Mr. Henry Cole, under the secretary's superintendence, has the direction of the important work of cleaning, repairing and sorting the Miscellaneous Records of the

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the King's Remembrancer's-office, the whole of which, under a recent warrant of the Treasury, has been transferred to the temporary custody of the Board. For some time past, Mr. Cole has had the direction of the work of cleaning, repairing and sorting the records in the Augmentation-office and the Chapter-house. Mr. Cole, out of office hours, which are from nine to four o'clock," (here I may remark is a mistake, as my office hours were only from ten till three) "has other occasional employment, for which he is remunerated according to the nature of the work." I am at a loss to understand the meaning of the term "superintendence:" perhaps I can explain my impression of Mr. Cooper's superintendence in mentioning as an actual fact, that in the course of the year 1834, whilst I was engaged at the Augmentation-office, Mr. Cooper visited that depository eight times, for a space of three or four minutes each visit. I certainly saw Mr. Cooper in that year at his own chambers, but those visits of Mr. Cooper at the Augmentation-office constituted the only species of "superintendence" spoken of in this Return.

4423. Was the superintendence such, that he could have been considered in any way responsible for the state in which the office was, or did you consider it as at all diminishing your responsibility in that respect?—Not in the least. Mr. Cooper never interfered, by suggestion or otherwise, except when I required materials for the conduct of the work; it was necessary for me to know whom I should apply to for materials. On one occasion some oaken chests or boxes were required for the King's Remembrancer's-office, and I suggested to Mr. Cooper the propriety of applying to the Board of Works. Mr. Cooper over-ruled my suggestion, saying, he preferred retaining in his own hands the patronage of employing his own carpenter.

4424. In those respects Mr. Cooper had more superintendence over the office than he would have had over a perfectly independent keeper?—Yes; inasmuch as the Augmentation-office had been taken under the care of the Board, and I was employed in some capacity or other under the Board.

4425. Was the arrangement you were carrying on at the Augmentation-office made with the understanding of Mr. Cooper; was it made from his suggestion; did he fully understand the plan and approve of it?—I presume he understood as much of the plan as I told him of.

4426. Did he inspect it so far as to know whether you were working on your own plan?—Of course he must have supposed I was working on my own plan; he never suggested anything.

4427. Did he so far superintend you as to see whether you were keeping up to your professions?—No, certainly not; he only looked into the details of my operations on two occasions, when I asked his attention. When the Court of Chancery was sitting, he paid me a short visit occasionally; eight visits in the year 1804, as I have said before; periods of three or four, and even six, months would elapse between his visits.

4428. With what record offices have you been best acquainted during your service under the Commission?—Especially with the King's Remembrancer's-office; with other Exchequer offices partially; with the Rolls Chapel; with the Chapter-house, to some little extent; with the duchy of Cornwall, and in a very great measure with the Augmentation-office.

4429. Now, what is the state of the records in the office of the King's Remembrancer of the Exchequer?—That is a very general question; without entering into details, I should say the present state is exceedingly inconvenient.

4430. Where are they kept?—A portion, the greatest portion, is kept in Carlton ride or stables; another portion in the western tower of Westminster Hall; another portion in the cellars of the Tower; I believe a small portion at the Temple; other portions I have known to be in the hands of individual members of the King's Remembrancer's-office.

4431. Do you know whether any attempt has been ever made to arrange this large mass of records?—Yes, various attempts have been made since 1800 to arrange that portion requiring arrangement.

4432. Will you just state them?—If the Committee will allow me, I will refer to the annual report of 1801. The state of the King's Remembrancer's-office naturally excited the early attention of the Select Committee on Public Records in 1800, and immediate measures were taken, after the first Record Commission was issued, for arranging and calendaring the records which needed those processes in that office. The Commission appointed "Sub-commissioners"

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missioners" for the purpose, and I particularly wish to direct the attention of the Committee to this fact, inasmuch as Mr. Cooper has stated in evidence (Ev. 32) that the present Commission followed the "usage" of past Commissions in entrusting the work of arrangement to subordinate agents. I beg to read the passages from the Appendix to the Annual Report of 23d March 1801, pp. 18, 19, where the Commissioners report, that they have appointed Sub-commissioners, to methodize the records of the Exchequer. The commissioners humbly certify to the King, "that John Caley, Esq., Mr. William Kirby and Mr. George Vanderzee, two of the side clerks in the King's Remembrancer's-office in the Exchequer, be Sub-commissioners under this Board, for arranging, methodizing and indexing all the records in the said office;" they also certify, that Mr. Caley, with another gentleman, are Sub-commissioners for arranging the records in the Lord Treasurer's Remembrancer's-office; they also certify that Mr. Caley and others are Sub-commissioners under this Board, for arranging the records of the Auditors of Land Revenue. The Commission continued the work of arrangement in the King's Remembrancer's-office for about a year, when it was suspended, and Mr. Vanderzee was employed to edit the Nonæ Rolls. Whatever work of arrangemeet was performed during this year was completely tossed into confusion by the removal of the records in 1822.

4433. Where were they removed?—From the old buildings at Westminster into a shed in Westminster Hall.

4434. In what state were they there?—In the worst possible state.

4435. Were they accessible?—They, meaning the Miscellaneous Records, are not even conveniently accessible in the much better depository in which they are now placed; they were infinitely less accessible in Westminster Hall. At page 72 of the proceedings of the Record Commissioners, "it is much regretted that Mr. Caley should not have suggested to the Board the necessity of making such arrangements, in concert with some of the gentlemen of the King's Remembrancer's-office, as would have insured the safe transport of the records across the Hall. It has been long rumoured that upon this occasion large quantities of parchments were purloined by the labourers employed, and sold to the glue manufacturers." I can myself certify that statement to be true, for I made some inquiry of the builder employed to take down the old buildings adjoining Westminster Hall, and he informed me that he himself, at one period, possessed a very considerable collection of seals, charters and other documents found in the old building.

4436. Sir *Robert H. Inglis.*] Are the Committee to understand that this took place on the removal of the records from their then existing depositories to the wooden building ranging in the interior of Westminster Hall, or from that wooden building to the King's Mews?—Upon the removal from the old buildings to the wooden shed in Westminster Hall.

4437. At what period?—In 1822, subsequently in 1831. I believe great care was taken by Mr. Vincent that the records should not be damaged by the removal to Charing Cross. Mr. Vincent himself states, (Proceedings of the Board, p. 72), "that some papers and records have been injured and lost by the removal in 1822, as that removal took place under circumstances very unfavourable to security and accuracy, the records having been removed without the presence or superintendence of any officer of the court, but were sent to the shed or building erected in Westminster Hall, and carried, some in sacks and others in the hands and on the shoulders of labourers, without order or method, and free from any check whatever." Amongst other accidents it happened that the very records arranged and published by the Commissioners in 1801, namely the Nonæ Rolls and the Inquisitiones Nonarum were actually dispersed upon this removal. Thus the records, which had been once arranged and printed at the public expense, were thrown again into confusion.

4438. *Chairman.*] In whose custody were the records at this time?—Mr. Vincent was not King's Remembrancer then. The records were under the same nominal custody that they are at this time.

4439. What is that?—Firstly, the Barons of the Exchequer are the supreme custodes; secondly, the King's Remembrancer, (an officer whose occupations are sufficiently numerous without taking care of the records), is perhaps the immediate head; thirdly, there are 32 gentlemen belonging to the Exchequer Court, who have the privilege of access to these records whenever they please,

and

and indeed may and do act towards them pretty much as they like; and lastly, there is a bag-bearer, who keeps the keys of the office, and is in fact the custos of the records. Mr. Vincent too says, (Proceedings of the Board, p. 71), "it is indeed sometimes difficult to trace where even the actual care and guardianship reside."

4440. Have any orders been made by the Barons of the Exchequer with regard to those records?—The Commissioners, in their Report in 1812, congratulate themselves that some orders have been "provided for the more regular keeping of the records" by the Barons of the Court of Exchequer; but the complete inefficiency of those orders, and the way in which they have been treated by the office, is exceedingly remarkable in every point of view. One of the orders is, that the "court-keeper do not deliver out the keys of the record rooms to any person whatever except to one of the clerks in court, accompanied by the bag-bearer." Now it happens that the court-keeper has no keys to deliver, or if he has, he does not deliver them; and that the person who keeps the keys is the bag-bearer, and not even the side-clerks, to whom the Barons order that the keys be delivered. Another order is that the bag-bearer should not make "any search without the presence of a clerk in court;" but a contrary practice must be well known to every person who has had occasion to make the slightest search in these records; the majority of searches are made by the bag-bearer alone. Another order is, that "a public book should be deposited in one of the record rooms, in which the title of every record removed out of the record rooms shall be entered by the clerk in court who removes the same;" there is no book kept to the best of my belief, and every record is removed according to the pleasure of the bag-bearer of the court. The fifth order is, "that they do not place any records in any press in the record rooms under lock and key." The fact is that both secondaries of the office keep each a press in the stone tower under lock and key, and do not admit the public to have any access to the records deposited in those presses without payment of some additional fee.

4441. Are those the records that Mr. Vanderzee has been employed to methodize?—I presume you mean the unarranged records spoken of in the report of 1800.

4442. And some progress had been made in arranging them at the time the arrangement was suspended by his becoming the editor of the Nonæ Rolls?—Such progress that a considerable proportion of the Nonæ Rolls had been selected, besides a large quantity of monastic records.

4443. You say such has been the carelessness with which those records have been kept, and with which they have been removed from one place to another, that since that they have been all thrown into confusion, the very records arranged by Mr. Vanderzee?—That is the fact.

4444. Did the Record Commission superintend in any manner the removal of those records which they had been thus at the expense and trouble of arranging; I mean the removal from the old record offices to the shed in Westminster Hall?—Certainly not; there was not the slightest interference on the part of any body in authority; the only persons who removed them were the soldiers and labourers, who performed the actual labour.

4445. Sir *Robert H. Inglis.*] When you say that the removal was without the superintendence of any one, and that it was confined to the manual labour of the soldiers and workmen, do you speak from your own personal observation of the fact?—I speak from the report of Mr. Vincent himself, and I speak from the evidence I have myself collected of the truth of that report by subsequent inquiry made by myself of many persons.

4446. The question refers to 1822?—Mr. Vincent states, that they were removed from the stone tower in 1822 by the labourers, "without the presence or superintendence of any officer of the court, without any order or method, in sacks, and in the hands, and on the shoulders of labourers."

4447. Were the Record Commissioners of the year 1822 in the legal custody of the documents in question?—The Record Commissioners, I presume, are not in the legal custody of any documents whatever. A recent warrant from the Lords of the Treasury, sanctioned by the Court of Exchequer, transferred a portion of the King's Remembrancer's records to the temporary custody of the Commission.

4448. No such warrant existed at that time, and the legal custody of the records of the different courts being assumed to be in the Judges of such courts,

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or in patent officers appointed by the Crown, and connected with those courts; do you conceive that the duty of superintending the removal was in the Judges and officers of those courts, or in the Commissioners under the Record Commission?—I conceive, of course, that the duty was in the officers of the court, but I likewise conceive that the Commission itself was no better than a solemn mockery of the King's authority, if the Commissioners themselves did not see that the objects for which they were instituted were properly carried into effect. The object of "preserving" the records is the primary object of the Commission; if any party neglected that object, with all submission I should say that it was the duty of the Commission to see the object effected.

4449. *Chairman.*] Was not the Commission, from the nature of its authority, appointed to see that the records in the legal custody of other persons were properly kept?—I conceive that the Record Commission should have supplied or remedied all defects that existed in record offices.

4450. Had it not actually gone to considerable expense and trouble in arranging the records?—Yes; and if it had the power to arrange the records, it equally had the power to see that they were not disarranged; it would have been a mere farce to have gone to a great expense in arranging them, and then have left them to the discretion of soldiers and Irish labourers.

4451. Do you know whether any of them were stolen at that time?—If they came into the possession of the builder I have mentioned before, I would not describe that as a theft; but I should say that numbers must have strayed, and most improperly so.

4452. Do you know of any records being taken away at this period in such a state that they were afterwards sold as perfect records?—One of the workmen now in the employ of the Commission, and at that time in the Augmentation-office, purchased for *5s.* an apron-full of records of one of the labourers. Those records were, when I left the Augmentation-office, in that office, Mr. Caley, the secretary to the Commission at that period, having re-purchased them of the workman.

4453. During the period that those records were in the shed, and in the building previously to being removed to the shed, in what state were they with regard to their preservation?—I should conceive extremely bad. I cannot do better than adopt Mr. Vincent's statement, that upon his appointment to his office in 1823, "I found that the books and records of the Exchequer, instead of being collected in one solid, substantial, dry and well-watched building, commodious for reference, hourly accessible (within certain limits of time), to the public, subject to the control and guardianship of one responsible official individual, who might make himself master of their character and tendencies, and take measures both for their safety and utility, were scattered in various places and various custodies, at various distances, and with various pretensions; some were kept by the first secondary, some by the second, some by the King's Remembrancer himself at his chambers; some were supposed to be in the keeping of individuals, some to be missing altogether; some were at Westminster, some in the Temple; most in places exceedingly ill adapted for their preservation and security, and inaccessible, for the most part, to the public, without great trouble, difficulty and expense. I found that by far the largest portion of them had, in 1822, been moved from buildings which were to be removed to facilitate the courts of law, without order, without specific authority, without superintendence or care, without any official cognizance that I have been able to trace, or any provision for the service being vigilantly or even honestly performed, into a flimsy erection of deal boards in Westminster Hall, destitute of space or power of arrangement, and, at the time of my first visit to it, dark, damp and almost pestilential."

4454. Were they in a better plight in the stone tower?—In the stone tower they are not subject to damp, but to considerable dust, as the rooms are seldom if ever cleaned; the cellar under the stone tower is like a dungeon, without light, and the windows of the cellar are not even glazed.

4455. Is there not a description, in some part of the Agenda, of the state in which the records in the stone tower are?—I think Mr. Protheroe gave some account of the state of the cellar of the stone tower.

4456. Have you got the account which he gave?—I could refer to it. In the proceedings of the Board, p. 367: "In two cells on the ground floor, in the western tower of Westminster Hall, are a mass of records, the nature of which is but partially known; they are only to be seen by a small portion of light, let in

in by a lancet window, and that is unglazed, and admits a larger portion of dirt. These records are literally covered with filth." Those records, although they have been superficially, I think I may say, examined since the period of Mr. Protheroe's report, are still exposed to the same accidents.

4457. Are they still in the same building?—Yes.

4458. Now the dirt is not merely excessively inconvenient to the person that has to take up the records, but its existence is prejudicial to the state of the records?—In the highest degree.

4459. In fact, it destroys them?—Yes, no doubt of it; those records, moreover, are in such a bad locality, that they are not ever resorted to, I believe.

4460. What are those records?—Mr. Vincent says, "the nature of which none can tell."

4461. Are they of any value?—It is impossible to say, unless they are carefully looked through. I believe a very great portion of them consists of port books; but as no proper sortation could take place where they are now, it is impossible to say what they are. I know that in the year 1833 some extremely valuable household books were selected from the mass; and I apprehend, if the whole were looked through carefully, other equally valuable records might be found. I have found the passage in Mr. Vincent's report, p. 73: "There is also another room, the entrance to which is from Westminster Hall, which is dark, and will require the assistance of a lighted candle, should any search ever be made there; and moreover it is damp, and in every respect unfit for a record-room; it contains the old port books, which are never resorted to now; there is also a mass of miscellaneous records, the nature of which none can tell till they have been thoroughly cleaned and examined."

4462. And they still remain uncleaned and unexamined?—Yes, the greatest portion, but with this reservation, that they were partially examined in 1833.

4463. And the household books were selected from them?—Yes, besides documents of other sorts.

4464. But in spite of the evidence thus afforded of their containing some valuable matters, no complete search was made?—No thorough search could be made unless the whole were removed from that place. I always considered the records there deposited as part of the "miscellaneous" records I was deputed to arrange; and I have more than once suggested to Mr. Cooper the necessity that those records in the cellar and those in the tower above should be removed to Carlton Ride, and placed with the other miscellaneous records, but there existed a species of dispute between Mr. Vincent and Mr. Cooper; Mr. Cooper would never interfere nor attend to my suggestion. Once I wrote to Mr. Cooper, expressly requesting him to forward my letter to the King's Remembrancer, and the King's Remembrancer replied that he stood upon the exact terms of the Treasury warrant, and as the warrant only mentioned the records in the Mews at Charing Cross, and not those in the stone tower, he did not conceive that the miscellaneous records in other depositories, for instance the stone tower, were included in that warrant; but that if Mr. Cooper would apply to the court, he, Mr. Vincent, would raise no objections. Previously I had selected some miscellaneous records of an early date, both from the tower and the cellar, and afterwards Mr. Vincent ordered a roll of the Testa de Neville and some Nonæ Rolls to be delivered to me. The Testa de Neville was so delivered, but I never could obtain the Nonæ Rolls from Mr. Vanderzee.

4465. Did Mr. Cooper ever get another warrant?—Mr. Cooper would not interfere at all.

4466. When were the records moved from the shed in Westminster Hall to the King's Mews?—I believe it was in 1831.

4467. Under whose superintendence?—Under the personal superintendence chiefly of Mr. Adlington.

4468. They had not then gone into Mr. Vincent's custody?—Yes, they had; and the removal was superintended by Mr. Adlington, under Mr. Vincent's orders.

4469. Was proper care then taken in the removal?—I have every reason to believe that as much care was taken as could be. I may explain, by far the greatest part of the miscellaneous records was not even in sacks, and although care might have been taken, it was very possible, with loose papers and parch-

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ments, that a portion might escape; but I believe that every possible care was taken.

4470. How long did they remain at the King's Mews?—From 1831 to 1835.

4471. In what state of accessibility were they there?—A great portion of the records, the decrees and orders of the Court of Exchequer, and the Memoranda Rolls, were perfectly accessible, but the miscellaneous records, which comprehended 5,000 bushels, were not arranged in any way.

4472. Were they in sacks?—They were (a few sacks excepted) in two enormous sheds. I had them measured, and the dimensions are printed in my report to the Board; they filled above 600 sacks, each sack holding eight bushels, when I caused the contents of the sheds to be placed in sacks.

4473. If you suppose that a document you wanted was amongst those records, you had to go and hunt over the whole contents of the two sheds?—It was utterly impossible to make any search whatever in those sheds; the search would have taken many years. I think occasionally very useful documents turned up; Sir Robert Inglis and Mr. Hallam, in their survey of the offices, (Proceedings of the Board, p. 281), alluded to several which had been found from time to time, *e. g.* Special Commissions in reference to West Harptree and Portsmouth Harbour, &c.

4474. Those were found by mere accident?—Yes.

4475. By whom were they found?—I believe by the bag-bearer.

The Right Honourable Lord *Langdale*, called in; and Examined.

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4476. *Chairman.*] I BELIEVE your Lordship is Master of the Rolls?—I have held that office for about four months.

4477. In that capacity you have the legal custody of the records in the Rolls Chapel?—Yes, so I understand.

4478. Who is the person really responsible, and who superintends the records?—They are in the personal care of the keeper of the records, who is Mr. Leach, the brother of the late Master of the Rolls, Sir John Leach.

4479. The appointment of the keeper is in the Master of the Rolls?—I believe so.

4480. Can you state exactly where the records are kept?—They are kept in closets, presses or boxes within the chapel, and I believe on frames or shelves in the roof of the chapel.

4481. Have you had any occasion to inspect them?—At the time I became possessed of the office I now hold, I felt a great anxiety to examine into the state of those records, and I took the earliest opportunity I had to inspect them. I intended to bestow much greater care upon them, but about the same time this Committee was appointed, and understanding that this Committee would inquire into the mode of managing them, I abstained from any interference, intending to leave all things in the state in which they were, that I might not create any impediment to the execution of any plan which a Committee of the House of Commons might recommend. I have, therefore, done nothing to the records, and have not minutely examined into their state, conceiving, perhaps erroneously, that this Committee had taken the inquiry upon itself.

4482. From the inspection you made of those records, did it appear to you necessary to adopt any further arrangement with regard to them, in order to ensure their safe custody and accessibility?—I have no reason to think they are not in safe custody, from anything I saw.

4483. Are they in fire-proof depositories?—I do not know that: they did not appear to me in a situation in which records ought to be kept; they seemed, at least some of them, to be exposed to considerable variations of temperature, which I understand to be injurious to records; and there are many of them in a situation of very inconvenient access, a situation in which public records ought not to be; placed in closets or places, some of them at a great height, and others entirely dark; there are a quantity of records in closets so dark, that you cannot see them as you walk in; there are others in closets so high, and with so narrow a footing for a ladder, that mounting to the top cannot be convenient, if quite safe, which I should scarcely think it to be. Those who are perfectly familiar with the dark closets may go in and perhaps pitch upon the

the record wanted, not always without error I apprehend, but that is the way in which they are preserved. I think it extremely inconvenient.

4484. Do you know the practice with regard to searches in the office, whether individuals are allowed to search for themselves, under the superintendence of the keeper, or whether the search is made by the keeper?—I cannot state that; I believe it is by the keeper or the chief clerk, but I do not know.

4485. Are you acquainted with the fees?—All I know of the fees is from a return given to me by Mr. Leach, as a copy of the return made by him to the Record Commission, and that copy I have with me. It contains all the information I possess upon the subject, and I suppose the Committee already possess it.

4486. Do you know what facilities are afforded for obtaining information respecting the documents contained in the office; are there perfect calendars and indexes?—There is a great variety of calendars, but I know nothing more than I collect from the return, and therefore I can give no evidence that will be useful; there are calendars said to belong to the office, and calendars said to belong to private individuals, bought and paid for by those individuals.

4487. Is not the effect of having calendars in a public office, the property of private individuals, to enable those parties to levy fees upon the public for the inspection of those calendars?—I conceive so. Where it is important that records should be preserved for access by the public, there ought to be indexes in the office for the public use. As to the records themselves, care is to be taken that they should be so used as to be preserved in their perfect integrity for posterity. You want to make them of the greatest benefit you can to the public, not only at this time, but in all after-times. As far as is consistent with their perfect preservation, the records should be made as accessible as possible, and for that purpose it is desirable that every reasonable facility should be given by means of indexes. As to the amount of fees, that would have to be determined by the number of searches and the amount of money to be raised for paying the expenses of the office, and the salaries and stipends of the persons employed in the office to preserve the records and afford access.

4488. Is it your Lordship's opinion that those salaries, and those necessary expenses, should be discharged by the person who happens to have the misfortune to be an applicant for justice, or by the public at large, who are equally interested in the administration of justice?—That is a very large question, involving a great many considerations connected with the administration of justice. I can hardly answer it connected with this matter alone.

4489. In conformity with general principles?—The cheaper you make the administration of justice, the better it is for the public. The expense of the suit may be borne by the suitor for his own benefit on the particular occasion, but it is for the general benefit of the public to see the activity and due application of the law, and that such application should be obtained as cheaply as possible.

4490. In this respect, as in any other, you would have the expense of the administration of justice paid by the public, as far as practicable?—Yes.

4491. Sir *Robert H. Inglis.*] In the answer which your Lordship has given, do you consider it desirable, as an abstract proposition, that every fee required in the conduct of a suit, whether such a fee be demanded by the keeper of a record office, or be payable by custom to the professional adviser, should be discharged from the public purse?—Certainly not.

4492. Then what distinction would your Lordship desire the Committee to make, with respect to the limitation to be adopted in reference to the conduct of suits at the public expense?—It might, perhaps, be said, that the expense of public officers and offices should be paid by the public, and the expense of private agents and advisers by the parties; but I would rather avoid making any particular distinction. I have only answered the general question, whether it is desirable for the public that the administration of justice should be cheap; I think it is.

4493. Not gratuitous?—In many instances it is gratuitous; the services of the judge, for example, are gratuitous to the particular suitor, and ought to be so; that is a principle which has been acted upon in modern times, there having been, formerly, many instances where the services of the judge were paid by fees, or some sort of tax levied on the suitors. That is abolished

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in all the superior courts of common law, and very recently, with reference to the office of Lord High Chancellor. It may be difficult to state the distinction proper to be made in some particular cases.

4494. *Chairman.*] Does your Lordship know what kind of value the records in the Rolls Chapel have to litigants in our courts of law and equity, whether they are the subjects of general reference?—I believe that upon some subjects they are, and that frequent access to them is required. Some are important in reference to matters which are litigated; others in giving information upon history.

4495. For those purposes, and the most perfect access to them, a knowledge of their contents would be beneficial to the public?—Such easy access as is consistent with the preservation of the records, which I consider essential. You are to preserve the records, not for the persons merely now living, but for those to come afterwards.

4496. Sir *Charles Lemon.*] Does your Lordship modify your opinion of the expenses of the administration of justice at all with reference to any check on litigation?—I consider that to check litigation, by means of expense, is pernicious to the public. Litigation may be most usefully prevented, by cutting off its sources; but if the causes or sources of litigation are existing, the only mode of preserving the peace of society is to allow litigation to take place, and to make it easy. It is a great object of good legislation to cut off the causes or sources of litigation; that I conceive to be the object of government; but when the sources of litigation unhappily exist, instead of allowing them to rankle and fester in the minds of parties, the best and most prudent course is to let them go before an impartial judge, who may decide the matters in difference between them, and this is litigation.

4497. Sir *Robert H. Inglis.*] Has your Lordship formed any opinion with respect to the amount of fees actually received?—None at all; I have had no means of doing so; all the information I possess is in the paper referred to; and I have not instituted any inquiries of what ought to be the expense of conducting the office, and how it could be most satisfactorily defrayed.

4498. You cannot therefore state to the Committee how far, in your judgment, the fees actually demandable are reasonable, compared with other offices, or with the services for which they are asked?—I have not had the means of forming any opinion upon the subject.

4499. Will you be pleased to state whether the patent under which you hold your office is the same, *mutatis mutandis*, under which your predecessors held the office?—I believe it to be the same.

4500. It has been printed, and is on the table of the Committee?—I have not seen it. [*It was handed to his Lordship.*] I believe this to be like my own patent, which I would send to the Committee if desired.

4501. If the patent under which your Lordship holds the office which you now hold be the same as that, *mutatis mutandis*, now shown to you, it appears that you are legally in possession of the house held by the Master of the Rolls, a swell as of the other incidents pertaining to the office?—Yes. I will state how the matter stands in that respect. The house was not occupied by my immediate predecessor, nor for some time by Sir John Leach; he gave it up under circumstances the whole of which I may not be aware of, but some of them I do know. He had begun to sit for the purpose of administering justice in his court at different times from his predecessors, and had taken upon himself much greater labour; he had determined to sit as long as any judge in equity does sit in the course of the year, and to sit in the morning. In order that he might sit in the morning during Term time, which is a considerable portion of the judicial year, it was thought convenient for him to sit at Westminster; he had no court there, and no room for his court could at that time be found but the one that was then occupied by records belonging, I think, to the Court of King's Bench; and to obtain that room for his court he offered to allow the records of the Court of King's Bench to be sent to the Rolls-house; they were accordingly sent there. The room at Westminster was obtained for the Rolls Court in Term time; and a large portion of the Rolls-house in Chancery-lane was, during the time of my predecessor, and is now, occupied by the records which were so removed. At the time it was proposed to me to accept the office, the state of the Rolls-house was mentioned to me. I said I had not the least desire that the house should be

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be applied to my use, or my personal accommodation; and as far as my interests are concerned, I consider the house at the disposal of the Government, for the benefit of the public. It was at one time proposed that the house and garden should be left out of the patent; but the Attorney-general considered, I believe very rightly, that it would not be legal or proper to do so; the house and garden are therefore in the grant; but there is no doubt of the obligation under which I am to interpose no personal claim of my own to the use of them.

4502. *Chairman.*] Is the house occupied in any other way except that the chapel is taken up by the records?—The chapel contains records and is devoted to public worship on Sundays; the house contains the court, where the business is transacted out of Term time; and I have one room for my private use, and another for the use of my secretary. I consider both of these to be necessary for the conduct of the business of the court. The rest of the house is occupied principally by the King's Bench records, and there is a housekeeper living in the basement. There are other parts not fully occupied, and which, under proper arrangements, might perhaps be conveniently occupied by some of the records which now overcrowd the chapel.

4503. Sir *Robert H. Inglis.*] The questions which I have addressed to your Lordship had reference to a plan for converting the site of the Rolls-house for the purposes of a great Record-office, and the Committee are to understand, from the answer which your Lordship has given, that there is no objection, so far as your own individual rights under the patent appointing you Master of the Rolls may be concerned, to your allowing such an application to be made of the site?—No objection as far as my personal interests are concerned; but it must be observed that the property is vested in me as Master of the Rolls, and although, under the circumstances I have stated, I am not at liberty to require it for my own personal accommodation, yet I consider that I have a trust reposed in me, and that I have a duty to see that it is not applied otherwise than properly for the public use. To that only I shall look, not to my own personal accommodation in any degree.

4504. You would think it expedient probably that the Court-house of the Rolls should be maintained in or near its actual position?—That is the most convenient place.

4505. And that of course any accommodation which you have now preserved for yourself should be reserved in any place devoted to that purpose?—Yes; and if this subject is under consideration, I should say there must be always two rooms attached to the Court, one for the judge's own retreat, and the other for his officers or those who may be in attendance upon him; and it would be a great accommodation that there should be a room for the bar attending the court. To have such a room is a great convenience to the gentlemen themselves, and often a great saving of time to them, and it is also a means of lessening the crowd and diminishing the noise in court; and by that means the transaction of the business there is facilitated. I think, therefore, that in the construction of any new court care should be taken to provide such a room for the bar: and it would be better to have a common room for bar solicitors and others who want to converse, immediately adjoining the court. If the court itself be the only place of meeting, there are occasions on which great interruptions almost unavoidably arise. With respect to the garden annexed to the Rolls-house, I ought perhaps to mention that the judges of the common-law courts have long been in want of chambers for the business they have to transact for the public, and it has been thought desirable that they should have a piece of the Rolls garden occupied with buildings for that purpose. They made arrangements accordingly, and I believe obtained the sanction of the Treasury and of the Board of Works before any communication was made to me upon the subject. It was considered, quite correctly, that I had no personal interest in the matter; but when the gentlemen arranging the plan came to me, I was under the necessity of saying that I considered it part of my duty to see most carefully what they were doing, for though the property was devoted to the public service, yet, as it was for the time intrusted to me, I thought it my duty to see that no part of it was applied to any purpose which might interfere with any more general application to the public use hereafter. That is the only species of control which I think I have over the property. Being desirous to promote the object of the judges, and considering that their chambers could not interfere with the pur-

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poses to which the Rolls estate would probably have to be applied hereafter, I proposed that I should have the power given me by an Act of Parliament to do what was wished.

4506. *Chairman.*] Is it your Lordship's opinion that it is necessary, the Rolls Court sitting at Westminster for a portion of the year, and the other courts sitting there, that the Master of the Rolls should sit as he now does out of Term on the present site of the Rolls Court?—It is not absolutely necessary, but it would be very inconvenient to the bar to leave their libraries and chambers to come down to Westminster all the year; it is an inconvenience in Term time.

4507. Sir *Robert H. Inglis.*] The two other Courts of Chancery sitting in the immediate neighbourhood, seems a reason why the Rolls should be retained there?—Yes, near Lincoln's Inn.

4508. *Chairman.*] You do not think it desirable that the residence of the Master of the Rolls should be kept on that site?—I do not know what to say about that; it is a matter which deserves consideration. It is probable that the Master of the Rolls formerly had the records in his own custody, and that his residence and establishment at the Rolls-house were not improperly considered to be a protection to the Rolls. This protection, if it was any, is entirely lost by the arrangements that have been made.

4509. I was asking you this question with a view of converting the present site of the Rolls-house and some of the ground about it, which I believe is public property?—It is the Rolls estate, and a word will show how that is and how the Master of the Rolls is situate in that respect. There is a considerable estate annexed to the Rolls-house, and which, with the office, is granted to the Master of the Rolls. It produces an income which I could be able to state, though I do not recollect it at this moment. The rents belong to the Master of the Rolls, but do not equal the salary to which he is entitled; the difference between the salary and the amount of the rents is made up by the public; so that the Master of the Rolls has, in fact, no interest in the rents, but he receives them by an officer appointed by himself; certain expenses are thereout paid; and the deficiency of the residue is supplied by the public. The Rolls estate, or part of it, is the ground which it has been proposed to appropriate to a public record depository, different courts of justice, and chambers.

4510. Would it not be advantageous to the legal profession, and to persons interested in legal inquiries, that a general record-office, if built, should be built on that site?—I think so; it is in the midst of all the offices, and in a situation most convenient to the public.

4511. Do you not think that the building a general record-office, containing all the records, would be very serviceable to persons interested in a legal way?—I should apprehend it would.

4512. Sir *Robert H. Inglis.*] Are you aware of a Bill which was framed for the erection of a general record-office on that site?—I think I am. There is one part of the plan I decidedly object to, namely, defraying any part of the expense from the fund belonging to the suitors of the Court of Chancery.

4513. Have you seen a letter of the accountant-general to the secretary of the Record Commission?—Yes, I have.

4514. Will your Lordship look at it [*it was handed to his Lordship*], and say whether you concur in the views therein expressed?—I quite concur in that letter.

4515. You consider that if the public require the accommodation of a general record-office, the public ought to pay for it, and that the suitors in Chancery are not to pay for those public purposes any more than any other of the King's subjects?—I am entirely of that opinion.

4516. *Chairman.*] You do not think, if for public purposes it should be required for a record-office, that the convenience of the Master of the Rolls having a residence there should stand in the way?—Any convenience to him personally ought not to stand in the way for a moment.

4517. You do not think there would be any personal convenience to himself that ought to stand in the way?—No, there is nothing of the kind.

4518. It is rather an inconvenience?—Considering the habits of the present day, it would by some be considered rather an inconvenience; it has been so considered by one or two of my predecessors; but I remember the house being occupied by Sir William Grant, who was not a family man, and by Lord Gifford, who was.

4519. Sir *Robert H. Inglis.*] And Lord Alvanley and Sir Thomas Plumer?—Yes.

4520. *Chairman.*] During the time of those Masters, the Master of the Rolls used to sit in the evening?—Yes.

4521. After dinner?—I do not know about his dinner; he used to sit from six till ten o'clock in the evening, except perhaps for 16 or 20 days in the year, when he used to sit in the morning. The intervals between the Term, and what are called the First Seal days after Term, were occupied by the Master of the Rolls in the morning from 10 o'clock till four.

4522. That custom of the evening sitting is now entirely abandoned?—Yes, it is.

4523. Your Lordship is, by virtue of your office, a member of the Record Commission?—Yes.

4524. Have you, since you became Master of the Rolls, taken any active part in the business of the Record Commission?—No; I have received several summonses, but one only for a time on which I could attend. On that day I attended the Board, and I attended to the business, though I did not take an active part in it. That was the only day on which I could attend without interfering with the business of my court, which I considered more important.

4525. That is to say, for about five months you have received summonses to attend, to one of which only you could attend?—Not five months, about four; I received the appointment a little after the middle of January.

4526. That arose from the pressure of your duties as a judge?—Yes. The meetings were appointed for times in which I was occupied as a judge.

4527. You are occupied generally by that duty in court from 10 till four?—From 10 till the court rises; it is very often after four. Three is considered as the regular time; and at that time the bar consider they have a right to depart, but they very often stay a great deal later.

4528. Your Lordship's time is occupied very much afterwards?—Yes, in considering those matters which have been discussed in court or require investigation.

4529. Do you think it possible, under any arrangement that the Record Commission could make, that you could have an opportunity of giving that attention to the business of the Commission to enable you to take an active part in it?—No. If I have formed a proper notion of the extent of business to occupy the Record Commission, I think that I have not time to enable me to make myself accurately acquainted with the whole of it. I might be able to devote so much time to it as to enable me to understand some portion of the business. And it may be a question whether it is not possible to have a commission so constituted that some persons may attend to the general business, and other persons attend only to parts of it, and be responsible for those parts only.

4530. Sir *Robert H. Inglis.*] Are you aware that on several occasions a meeting of the Record Commission was held at the Rolls, in the presence and for the convenience of the then Master of the Rolls, Sir John Leach?—I am not aware of that.

4531. *Chairman.*] Do you think, in the constitution of such a commission, the business of it should be left to members of it like yourself, who have the pressure of much more important duties?—I should think not; in that case it would be left to the attention of persons who could not give careful attention to every part of it.

4532. Are there not portions of the business of a Record Commission in which you are not, in the slightest degree, officially interested, and which you have not time to attend to; for instance, the superintending the printing of works?—Certainly I could not undertake that.

4533. I do not mean the physical operation of printing; but is that a matter upon which you think the presence of the Master of the Rolls is necessary or serviceable?—I do not understand the nature of the business enough to be able to answer that question.

4534. The Record Commission edits certain works, and publishes them for the benefit of antiquarians and other persons; on such a business as that should you think the presence of the Master of the Rolls requisite?—Any other person I should think would do quite as well.

4535. Do you not think that from the pressure of his business others would be more qualified?—They would have more time.

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4536. The Right hon. *C. W. Williams Wynn.*] Do you not think the Master of the Rolls is qualified to judge of the selection of records for the purpose of printing?—He would be able, from the information he derives from his official situation, to form an opinion of the records to which access was most desirable for legal purposes, and in that way to judge what were desirable to be made more accessible to the public by printing.

4537. *Chairman.*] In regard to which access was desirable for legal purposes?—Yes, his office would give him some facilities in that respect.

4538. With regard to the records interesting to the historian and antiquarian, do you think that the Master of the Rolls could give a particularly accurate judgment as to the propriety of printing them?—Not more than any other person of an active and intelligent mind.

4539. The Right hon. *C. W. Williams Wynn.*] Do you not think it probable that a person who has attained the high office of Master of the Rolls, is more likely than any other person to exercise a correct judgment upon that subject?—I can scarcely say so much as that.

4540. *Chairman.*] Do you think that a person who has attained the office of Master of the Rolls, has such a necessary historical and literary taste as to qualify him for that duty; but furthermore, do you think he has leisure enough to devote to the subject to enable him to form a judgment upon the propriety of printing such documents?—I can hardly tell what is meant; if a statement were laid before him, about the nature of the record, and the use likely to be made of it, he would, by the exercise of his own understanding, be able to give a correct opinion on the propriety of printing the record.

4541. *Chairman.*] So he would in regard to the business of the Customs and Excise?—No; that would involve circumstances and technicalities with which he was less likely to be familiar.

4542. Sir *Robert H. Inglis.*] If it were proposed, at a meeting of the Record Commissioners, to publish the proceedings in Chancery of the reign of Elizabeth, does your Lordship think that the position in the law, and presumed education and acquirements of the individual, whoever he might be, filling the office of the Master of the Rolls, would or would not qualify him to give a very competent opinion to his colleagues of the propriety of the publication of that matter—taken as an illustration?—I should think so.

4543. If it were proposed to print the Nonæ Rolls, or the great Roll of the Pipe, do you think that he would have leisure so to exercise his judgment upon the subject as to be able to give an opinion?—With respect to the Nonæ Rolls, which are sometimes resorted to in courts of justice, the importance of them appears, and he has the means of knowing it; but any person of an intelligent mind, knowing the proceedings of courts of justice, would be able to form an opinion of the advantage likely to be derived from printing ancient records. Judges who are familiar with suits for tithes, the evidence in which is often carried back to a very remote period, well know the utility of these records from their own experience.

4544. *Chairman.*] Your Lordship is speaking of records in a legal point of view; I wish you to direct your attention to their importance to antiquarians?—If the Master of the Rolls was told, by those who were conversant with the subject, that such a document was of importance, for reasons stated, he would be able to form an opinion upon it.

4545. The Right hon. *C. W. Williams Wynn.*] Looking back to your Lordship's predecessors, is your Lordship of opinion that the late Lord Alvanley, Sir William Grant, Sir Thomas Plumer and Lord Gifford, were or were not persons qualified to form a judgment, as to the utility of publications, in a legal and historical view?—In a legal view, not the least doubt; in an historical view, with a little assistance, no doubt either; in historical matters, not connected with the law, they might have required some assistance. It does not follow because a man has been successful, and has acquired great knowledge in his legal pursuits, that he should therefore possess great knowledge of history.

4546. *Chairman.*] From your Lordship's previous answers, it would appear that the information that they must collect would be second-hand; they would have to trust to the authority of some other Commissioner, or some other person?—They must be governed by evidence adapted to the subject, as in other cases.

4547. Admitting their perfect competence, which, in point of general ability,

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no one would dispute, do you think that the work is such that, with the leisure the Master of the Rolls has, owing to judicial business, he can get such information upon the subject that he can safely rely upon?—He could not employ his own time in making searches; that would be a great encroachment upon the time he ought to give to his judicial business.

4548. What do you think is the utility of having the judgment of a person who cannot give one founded upon his own experience and observations?—I think it might be a very great advantage. There are many cases in which facts are well known to persons, who cannot of themselves tell what opinion ought to be deduced from them, or what conduct should be pursued with regard to them; and it might be important for the Commissioners to be able to resort to a person who might not know the facts so well as themselves, and yet be able to give very useful advice in a matter which perplexed them.

4549. Do you not think that the circumstance of his having so much other business to attend to would make his opinion of less value than that of another person not so situated?—He must be accustomed to come to conclusions upon opposite arguments and different statements of fact. A person of such habits might afford valuable assistance to the Commission, notwithstanding the great occupation of his time in other business.

4550. Take the case of a work of antiquarian value, about which there was a dispute as to the propriety of printing, for instance, the work that the Commission for some time continued, and with regard to which further preparations had been made by them, but which is now suspended, the continuation of Rymer's Fœdera, which is a work of no legal value, but of great value, as far as it goes, to the historical inquirer; if the question had been proposed in the Commission, whether it was proper to make certain additions to Rymer's Fœdera, and in what sources those additions should be searched for, do you think, with the time you have to devote to the business of the Commission, you could have given a useful opinion on the subject?—Perhaps not. In the consideration of a question of that sort, one sees clearly enough the process of inquiry. The old edition of Rymer would have to be considered; the information respecting other documents, of a kind similar to those contained in the same book, would have to be considered; their value and probable utility to the public, and other proper circumstances, would have to be thought of, before the question, whether they should be printed, and in what form, could be determined.

4551. You would have to make a great many other inquiries as to what the documents were, and the utility of transcribing them, and printing; that very question has arisen, whether the documents were worth transcribing at all, and whether the documents left by Rymer were not left because they were useless?—It certainly appears to me that the Master of the Rolls would be very much misemploying his time by reading over many manuscripts of that kind, to determine whether they should be published.

4552. Do you think that the duties of the Commission would be better discharged by putting persons upon the Commission who could devote their whole time and attention to it, and who were fully and entirely responsible, and could not fall back upon any second-hand information for the completeness of their work?—I think it would, but it might rarely happen that the persons engaged in reading over records with their own eyes would be best qualified to form an opinion upon the subjects referred to.

4553. I do not mean that the person engaged in editing the works should be the person to decide upon the printing; but would it not be better to have Commissioners whose whole time was occupied upon these subjects, and who could devote their undivided attention to it?—Generally speaking, I think it would; there should be Commissioners responsible for the whole of the transactions, but that does not seem inconsistent with the responsibility of another person called in to assist on particular occasions, it being understood that this responsibility did not extend over the whole operations, but to those things only in which the person called in might interfere.

4554. Would there not be a bad result of that interference in practice diminishing both his own responsibility for those acts in which he did interfere and the general responsibility of the other Commissioners?—I apprehend that might all be distinguished in the minutes of the proceedings. The persons attending the meetings, and no others, would be reponsible for what took place at those meetings.

4555. Is it not your opinion that the work of the Record Commission would be

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be better done if the Commission, instead of being as at present it is for the greater part composed of a number of persons holding other offices fully occupying their time, contained in it some persons who directed their principal attention to its business, and who were paid for it?—I am not particularly acquainted with the nature or extent of the business which is required to be done, but supposing it to be sufficient, and judging of it from other business, I should think it better to have competent persons paid for regularly attending to it, and responsible for its being duly transacted. That, however, does not seem to me to exclude other persons who may be occasionally resorted to for advice and assistance.

4556. You would not have many such persons; would you not then fall into the danger of having too numerous a commission?—You do not require many.

4557. I mean those not paid?—It would be desirable to have persons who have peculiar knowledge of history and antiquities, or who have control over particular records; the Master of the Rolls, for instance, and other persons who have under their control very important documents. I conceive it to be right that the Record Commission should act in concert with those who have peculiar and appropriate knowledge, or who have the custody of records, and there seems no mode more effective than making them Commissioners, or connecting them honourably with the Commission; but they are not to be supposed to be generally responsible for the duties of the Commission, or for more than the particular things on which they advise or in which they interfere. It would be wrong to consider as responsible generally those persons who, though they are in the Commission, cannot attend and avowedly do not attend to every thing that is done there.

4558. The Right hon. *C. W. Williams Wynn.*] Do you apprehend there would be employment for the whole of the individual Commissioners' time; that they could, without an inconvenient interference with the editors, occupy the whole of their time in superintending publications?—I cannot judge of that; I have not the means; I do not particularly know the business that is done by the Commissioners, and all I say upon the subject must be taken with great allowance on that account.

4559. *Chairman.*] Do you not think it would be desirable to have a man whose business, with which he was entrusted and for which he was paid, should be that of a Record Commissioner?—I should think so; judging from all other business it seems better to have some person on whom the responsibility peculiarly rests.

4560. If a Commission was framed with one or two paid Commissioners, would you think it desirable to have so large a number of official Commissioners as there are now?—I am sorry to say that I do not know how many official Commissioners there are, nor how many of them have peculiar knowledge of history and antiquities, or have the legal custody of records and documents that it may be important to bring under the consideration of the Commission; it might be important that all those who have records in their custody should be in some way connected with the commission, for the purpose of more convenient and agreeable communication. The Archbishop of Canterbury, for instance, has valuable documents under his care; when those documents are under consideration, and a question arises what ought to be done with them, it is of course desirable that the Commission should act in concert with him; and it seems a convenient, and, as far as I am aware of, an unobjectionable mode of proceeding to place him upon the Commission, or connect him with the Commission in such a manner that he may be invited to attend and give his advice and assistance upon the documents he has the care of.

4561. For instance, would there not be always this risk, if the Board was composed of numerous unpaid Commissioners, that they might take an interest in some particular question; that they might come down, say, for instance, upon a question of patronage. I am judging of the Record Commissioners as other human beings, and I believe it is the case among various unpaid Commissions, for instance, upon a question of patronage they might come down, and the responsible Commissioners, who really understood the matter, and were most cognizant of it, would be outvoted?—I should think that upon those occasions the honorary Commissioners had better not interfere or make themselves responsible for those appointments.

4562. Do you think, in practice, that that distinction would be acted upon; and that the irresponsible Commissioners would keep strictly to the matters in which

which they ought to interfere?—That could be very easily regulated.

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4563. You would propose that those official personages, who, on account of their offices you would connect with the Commission, should be responsible only for particular portions of its duties?—Exactly; so I have stated.

4564. But you think it would be better for the general management of such a Commission, that paid Commissioners were appointed, and a small number?—That is the inclination of my opinion, formed, however, upon a very slight and imperfect knowledge of the nature and extent of the business transacted by the Record Commission.

Veneris, 20° die Maii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Hawes.
Mr. Pusey.	Sir Charles Lemon.
Right Hon. C. W. Williams Wynn.	Sir Robert H. Inglis.

MR. CHARLES BULLER, IN THE CHAIR.

Patrick Fraser Tytler, Esquire, F. R. S., called in; and further Examined.

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4564. Mr. *Pusey*.] ALTHOUGH you contemplate some difficulty as to the immediate continuation of the work entitled, "Materials for the History of Great Britain," are you of opinion that there exist among our records some documents which might be published with utility to the historian, and whose completeness is so certain, that there is no reason for any further delay in their publication?—I think so.

4565. Can you mention any such complete series?—I must draw a distinction between "Records" and the work of Mr. Petrie, known by the title of "Historical Materials for the History of Britain." Of "Records" there are series either so complete, or so nearly complete, as to render them fit for publication. The "Historical Materials for the History of Britain" are chronicles, or extracts from ancient chronicles, such as Gildas, Nennins, the Saxon Chronicle, &c. Of Mr. Petrie's work it would not be right for me to speak, at least with any precision; for although I have seen the first volume printed by that learned man, I did not examine it with that care and critical accuracy which would enable me to speak upon it; but I am sure it cannot embrace records such as the Patent Rolls or the Close Rolls; it is intended to be a Corpus Historiæ Anglicanæ. When it commenced there were but few labourers in this field, and Mr. Petrie had, I believe, to rely on his own unassisted efforts; now it is different; he might have assistance. In Saxon history and literature Mr. Thorpe and Mr. Kemble. In an intimate knowledge of the manuscript copies of ancient chronicles, and in testing their comparative value and authenticity, Mr. Stevenson.

4566. You are requested to remark that your attention was not pointed exclusively to the completion of Mr. Petrie's work, but that, on the contrary, you were asked, supposing it were desirable to suspend that work on account of the uncertainty whether we have the whole of the materials at once to complete it, whether there do not exist some records with respect to which we have an absolute certainty that they are complete, and therefore, if they are to be published at any time, they may be published immediately?—There certainly are such series; and I think I have already, in my former evidence, alluded to the Close Rolls which have been published by the commission, and most ably and learnedly edited by Mr. Hardy, as one of those series. I would also point out the Privy Council books which have been published, and are going on at present under the very able and learned editorship of Sir Harris Nicolas; I think that with regard to works of this character the country would be grateful for them; and they are such as the Record Commissioners did well to undertake.

4567. Are there any materials that have not been published which you could mention as likely to be useful to future historians?—I could mention some; although to decide the question of comparative value would require longer time and more cautious examination. The Patent Rolls are, I think, another series, which the country would be grateful to see printed; probably also the Pipe Rolls, always taking into consideration the views formerly stated, and looking to the amount of the disposable funds, and the best mode of applying them. The

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opinion stated does not go to the stopping printing; I would say, when you have got what I believe is the first essential, print as much as you like; only use a judicious and learned discretion, consider carefully the extent and nature of the original plan of the work you begin to print, do not overload it; classify your documents, beware of considering all to be valuable which is ancient, and the country will be grateful for it.

4568. In short, if there were only sufficient funds for producing a complete catalogue, you would wish the funds to be devoted exclusively to that purpose?—Yes.

4569. But if the liberality of the nation was sufficient to provide for the publication of those records, you conceive that that publication would be most essentially useful to future historians?—I do. I stated my views with regard to catalogues raisonnés, because they appeared to me paramount and primary steps, and I would merely suggest that there should be a great deal of discretion exercised in printing selections or collections. Enormous sums have already been expended, it is to be feared, and in that way there might be impatience as to giving a great deal more.

4570. Though you might be apprehensive of any impatience in printing collections of documents, of which we have not at present a perfect knowledge, you do not see any such risk in the publication of the complete and consecutive series to which you have alluded?—I do not.

4571. *Chairman.*] In any remarks you have made, do you wish it to be understood you are at all favourable to a commission like the Record Commission publishing original materials, such, for instance, as "Sir Francis Palgrave's Essay on the Origin of the Equitable Jurisdiction"?—Works or essays of that nature, however ingenious, do not seem to me to lie within the useful sphere of the Record Commission.

4572. Do you not think it would be wise to leave to such a commission the publication of the raw materials for history, with the explanations necessary to accompany them, and not to allow them to publish original essays?—Yes, certainly, that is my opinion.

4573. The Right Hon. *C. W. Williams Wynn.*] Are you not of opinion it adds materially to the value of a collection to prefix to it a judicious introduction in the nature of an essay, provided it be executed by a competent person?—Certainly; but the question is very general, and depends on the nature of the essay. If the honourable Gentleman alludes to the great collections published by the Record Commission, I would beg to say, that I think it right, and indeed necessary, to prefix to such collections a brief general preface or introduction, but with this caution, that it does not swell into an original work, but limits itself to explanations or brief illustrations of their utility and importance.

4574. *Chairman.*] Would you, for instance, if the Record Commission was publishing a mass of those documents, approve of its publishing the speculations of an individual upon the portion of history to which those records refer?—I would not; I would confine the additions to illustrative notes necessary to the explanation of the text; more would, I think, be injudicious; it would increase expense, and, considering the nature of the collection, would scarcely be in good taste. That at least is my opinion, but it is matter of opinion only.

4575. Is there any point upon which you wish to supply anything to your evidence?—There is one point regarding voluntary labour, a subject upon which questions were addressed to me, to which I wish to add a few words: I mentioned the voluntary labour of clubs, the voluntary labour of individuals of large and independent fortune, who undertook the task from a love of the work, and paid the expenses, and the voluntary labour of booksellers, who did it for profit, and writers not displeased if profit came. With regard to clubs, the Bannatyne and Maitland clubs were given as examples of two such associations; and it strengthens my opinion and the view of what would be done, to state that since I have resided here, and examined some of the manuscript stores of England, I have had repeated applications from the secretary of the Maitland club, requesting me to direct them to manuscript works, which they were anxious to print; and lately when Mr. Thomson, the president of the Bannatyne club, was in town, and I had the pleasure of conversing with him, he expressed the same desire to have selections of original letters made, which the club would be happy to print. In the case of the secretary of the Maitland club, I have had repeated letters from

from him. He knew I was at the sources, and requested me to give him information as to any valuable works, for which, he added, they would soon find a publisher.

4576. Can you give us any information with respect to the comparative extent, value and importance of the works published by the Record Commission and those published by the Maitland and Bannatyne clubs; I mean to say, are the works published by the clubs, works of as great importance and as great extent as some of those published by the Record Commission?—Not of as great extent, certainly, as some of the works published by the Record Commission. I allude here to the Close Rolls already mentioned as a valuable collection of documents; but in determining the comparative value of the works of the Record Commissioners and the works of these associations, I must be permitted to draw a distinction between the works latterly published by the Record Commission of 1830, and the works published by the first Record Commission of 1800. The Scala Chronicle and the Lanercost Chronicle, the Cartulary of Paisley, the Cartulary of Melrose, at present publishing by His Grace the Duke of Buccleuch, the Memoirs of Sir James Melvill, and other works of these clubs, are of much importance and utility to historical inquirers. They are superior I think to many of the publications of the Record Commission which have been begun, and are either now suspended, or have been found comparatively useless.

4577. Are they equally works of such a nature that you think private publishers would not think it their interest to publish, but that they must be undertaken by somebody, either public or private, that did not care for a profitable return for the expenditure?—Certainly; the works published by these clubs are of such a description, that if offered to a bookseller they would not be published by him.

4578. The Right Hon. *C. W. Williams Wynn.*] Have the goodness to state to what extent do any of those works singly reach?—They do not, in extent, reach to anything like the publications of the Record Commission; neither do I think that you must expect from such an association of voluntary labourers a work of such extent, as is and ought to be published by the Record Commission. Yet, let me here add something in explanation: By the united efforts of the clubs a still larger series than has yet appeared might be edited, whilst the clubs keep up their distinct character. Thus they might proceed with a series of cartularies till all were printed. There are preserved in Scotland many valuable cartularies of ancient monasteries, and those cartularies contain the most authentic materials for the civil and ecclesiastical history of the country; the Bannatyne and Maitland clubs I hope, by their conjoint labours, will be able to publish in time the whole series. Already we have printed the Cartulary of Paisley, the Cartulary of Melrose, the Cartulary of Levenax, and I trust soon we shall see the Cartulary of Glasgow.

4579. Mr. *Pusey.*] Do all the publications of those clubs, taken together, bear any considerable ratio to the entire collection of records in Scotland?—No, not yet.

4580. So that the labours of an historian, who intended to write a work upon the original researches, would not be very materially abridged by the combined result of the efforts of those clubs?—Already they have published works, which, I think I may say, without exaggeration, materially abridge the labours of the Scottish historian; the works I have last mentioned chiefly relate to the more remote periods of the history of Scotland. I could mention other works published by them which embrace later periods, such as the times of Mary and of James the Sixth, and which are highly useful; yet I allow they have still a great field before them, and much to do.

4581. And the historian would be exposed to much inconvenience by the necessary research amongst original unpublished documents?—Certainly he would.

4582. And to great loss of time?—No doubt time would be lost which might be more profitably employed, if he could commence building his work without having to quarry his materials. Yet, though one might be anxious to save this time, it is not wholly lost. To a certain extent the labour repays itself. The reason is, that what is very often considered and despised as manual labour, namely, the making a catalogue raisonné, is not merely manual labour, but gives the historian a minute and intimate acquaintance with the history of the country which sometimes he would not otherwise acquire.

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4583. Then your answer seems to suppose that the historian is himself to construct the catalogue raisonné?—When an historian commences any great work, and there are no catalogues raisonnés in the country, he must, to a certain degree, undertake a labour which amounts nearly to the same thing.

4584. The questions that have been put to you, with regard to the continuation of the publication of our records, have assumed, in pursuance of your suggestion, that a catalogue raisonné would be formed at the expense of Government? —Under this assumption there can be no objection to continue the publication of records, such as I have before described, always supposing that there are funds enough for both purposes.

Sir *Harris Nicolas*, called in; and further Examined.

Sir *H. Nicolas*.

4585. Mr. *Pusey*.] ARE you of opinion, that however useful the labour of literary clubs may be in the publication of portions of our records, that the result of their combined labours can ever relieve the Government from the duty of affording assistance to future historians of this country by the publication of its records?—I am decidedly of opinion that no permanent reliance can be placed upon the efforts of clubs, or of any other association of individuals, for the publication of the great stores of materials for English history; and I am convinced that such materials can only be published by the Government. I wish to be understood as speaking with great respect of the labours of the literary clubs of Scotland, which have printed many works of historical importance; but the principal reason why great reliance cannot be placed on the exertions of such associations is, that their labours are usually more directed to documents of a local nature, or to those which, for other reasons, are of peculiar interest to its leading members, than to manuscripts relating to the general history of this country. Moreover, the exertions of clubs are always liable to be impeded by the occurrence of those little jealousies and dissensions which are incidental to coteries of all kinds; and which interrupt, if they do not destroy, any general plan. Another objection to the publications of clubs is, that they rarely print books for sale, and, in most cases, when their publications can be purchased, they are sold at an enormous price.

4586. *Chairman*.] Do you not think it would be important that the Government should so direct its operations as to avail itself to the utmost of the labours of those individuals, by affording access to materials?—Certainly; and to show how the present system impedes the exertions of individuals, I will mention the instance of a work which I edited, called "the Scrope and Grosvenor Rolls." That book was printed at the expense of an association of gentlemen, each of whom subscribed five guineas. The original was in the Tower, and no less a sum than 111 *l.* were paid for a transcript, being the full fee of 1 *s.* for every folio of 72 words, which sum would have been nearly sufficient for printing the entire document.

4587. The Right Hon. *C. W. Williams Wynn*.] What do you apprehend would have been the expense of a copy, independent of the office fees?—Less, by two-thirds, of the sum charged.

4588. The expense, provided there had not been office fees of making the transcript, would not have exceeded one-third?—No.

4589. Mr. *Pusey*.] Supposing it desirable to suspend any collections of public documents illustrating the history of Great Britain that exist in our record offices until those records are so far methodized and catalogued that editors will be better enabled to judge when their works are complete, are you of opinion there exist a series of records in our collections, or in public collections, whose completeness is so undoubted, that their publication might take place during the general process of methodization?—Yes. There are many of such serieses; for instance, the Close, Patent and other Rolls; and the Privy Council Books, a perfect series of which exists in the Privy Council Office, from the latter part of the reign of Henry the Eighth.

Henry Cole, Esquire, called in; and further Examined.

Henry Cole, Esq.

4590. *Chairman*.] WHEN were you first employed about these Miscellaneous Exchequer Records?—In February 1833 I was engaged by Mr. Cooper to catalogue some records that had been brought from the King's Remembrancer's Office

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to his chambers by Mr. Thompson. As the records were very dirty and mutilated, I procured two young persons to clean and repair them, a work which they continued to perform for a period of about five weeks at Mr. Cooper's house. I was rather surprised to hear Mr. Cooper state, in this room, that the operations of those two cleaners of records had contributed, with other causes, towards putting the commission to an expense of 370*l.* for repairs of his house and accommodations, inasmuch as, to my own knowledge, a few shillings would have purchased the materials, and furnished every convenience necessary for those workmen. The operations of arranging and catalogueing were afterwards carried on at the Mews at Charing Cross. I am desirous of referring the Committee to the General Report, now printing by the Commission on Public Records, in which will be found fragments of a long report furnished to Mr. Cooper, and from which Mr. Cooper, aided by Mr. Hunter, has not only expunged my name, but they have abridged and mutilated it, in what appears to me a very discreditable manner. Mr. Cooper's letter of January 7, 1835, says, "I am glad to hear your report will be so full; there is no doubt it will do you great credit, and be satisfactory to the board and the public." My name is not only expunged from it, but I was refused the common courtesy of correcting the press. The report is printed with many errors which I should have rectified. I remonstrated with Mr. Hunter against the proceeding, and also with Mr. Cooper. I will read, from the imperfect extract, a description of the state in which I found these Miscellaneous Records (Appendix to General Report, page 181.) "The great bulk of those regarded as Miscellaneous Records, which comprised records of all periods from Rich. 1 to Geo. 4, were heaped together in two large sheds or bins in the King's Mews. The dimensions of the larger of these sheds were 14 feet in height, 14 feet in width, and 16 feet in depth; of the smaller, the dimensions were 10 feet in height, 5 feet in width, and 16 feet in depth. In these sheds 4,136 cubic feet of national records were deposited in the most neglected condition, besides the accumulated dust of centuries. All, when these operations commenced, were found to be very damp; some were in a state of inseparable adhesion to the stone walls; there were numerous fragments which had only just escaped entire consumption by vermin; and many were in the last stage of putrefaction. Decay and damp had rendered a large quantity so fragile, as hardly to admit of being touched; others, particularly those in the form of rolls, were so coagulated together, that they could not be uncoiled. Six or seven perfect skeletons of rats were found imbedded, and bones of these vermin were generally distributed throughout the mass; and, besides furnishing a charnel-house for the dead during the first removal of these national records, a dog was employed in hunting the live rats, which were thus disturbed from their nests. It was impossible to prosecute any measure of assorting whilst the records remained in this position; indeed, a slow process of selecting or separating any portions could not have been endured, even by the greatest physical strength, or the greatest stock of patience. The first step taken was to divide the mass into small and approachable portions; accordingly, three Irish labourers, besides superintending assistance, together with the dog aforesaid, were employed, during a fortnight, in removing this deposit of national records, and placing it in sacks; and nothing but strong stimulants sustained the men in working amongst such a mass of putrid filth, stench, dirt and decomposition. In this removal not less than 24 bushels of dust and the most minute particles of parchment and paper were collected; 500 sacks of national records were filled from these sheds, each sack containing eight bushels; so that from this locality alone 4,000 bushels of every species of record were obtained. From various other parts of the King's Mews about 800 bushels of records were collected."

4591. Was any cat found?—A cat was subsequently found, and if the Committee are disposed to see it I can produce it, as well as the skeletons of the rats. [*The Witness produced and exhibited to the Committee the remains of a cat and some rats.*] I would just state briefly, that in this report will be found the result of the labours I have superintended regarding these records. As substantiating the assertion I made, that my report was left imperfect, I may call the notice of the Committee to a list of the quantity of sacks and bushels of records that appertained to each King's reign, *e. g.*, James I., 21 sacks or 168 bushels. Of the coast bonds I had not ascertained the number of sacks, and I had left a blank, intending to fill it up when I corrected the press, and also of the number of the port books. The Committee will see that a blank is left. I expressly pointed out to

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Mr. Hunter and Mr. Cooper that I wished to supply defects, and correct statistical details if requisite. Another observation I wish to make, is, that Mr. Hunter queried some readings of mine, and came to the Augmentation Office to inquire upon the subject. I told him his alterations of my readings must be at his own responsibility; and he has read in an ancient document the word "eadem" for "quod." I have shown the passage to Mr. Hardy and Mr. Stevenson, and they both agree with me that "eadem" is the wrong, and that "quod" is the right reading.

4592. Were you the first person employed in arranging these records?—No; previously to my operations Mr. Vanderzee and Mr. Adlington had both been engaged therein; and Mr. Cooper expressed, in the Agenda, p. 250, dissatisfaction at their proceedings, and said that they were "utterly inefficacious," and I believe engaged me to conduct the operations in the place of those gentlemen. Since I have commenced operations on those records I have been the only person who conducted the arrangement of them.

4593. When did you commence?—Actively in May 1833.

4594. Mr. *Hawes.*] Why do you say you only believe you were engaged?—There has been so much dissatisfaction and so great an impossibility of ascertaining what my real engagement was, that I should not be surprised if Mr. Cooper were to say I was not engaged, had I not the fact of payment to back my assertion.

4595. *Chairman.*] When and where did you carry on this business of sortation?—First for about five weeks in Boswell-court, then at the Mews for several months, and afterwards at the Augmentation Office.

4596. In what mode did you carry it on; describe the process by which those records were sorted?—I could refer to a passage in the Agenda that I drew up at the time, and which briefly states it; I can however detail it from memory. The miscellaneous records being transferred from the sheds into sacks, two persons, the bag-bearer of the Court of Exchequer being the chief, were then employed in sorting into reigns: the contents of the sacks comprised an indiscriminate mass of records of all reigns. When a sack of the records of one King's reign had been filled, it was then delivered into the hands of persons to clean and to press; those records so cleaned and pressed were given to an assistant of mine to sort into perfect and imperfect records. The perfect records were repaired, and the imperfect laid aside, to be attended to when a complete sortation of all had been effected. After a record had been repaired, I myself examined it, and took the title and made any other notes and descriptions of its nature that suggested themselves to me; that title, together with the descriptions, I intended to form a portion of the catalogue. The records thus cleaned, repaired and described, were sorted chronologically, and would, at a future period, have been further distributed into classes, preserving also a chronological order.

4597. Did any disputes arise between the King's Remembrancer and the commission with respect to this sortation?—I think that Mr. Cooper began in a most unofficial manner to get possession of those records. As the Committee is aware, the side clerks of the King's Remembrancer's Office have the power of removing any records, and Mr. Thompson removed some from the Exchequer, without the knowledge of the King's Remembrancer, to Mr. Cooper's house, (*vide* Evidence, 1727); the King's Remembrancer, when he discovered the fact, insisted that no more should be removed, and requested that the commission should suspend its labours until the Treasury put the whole matter upon a satisfactory footing, and at his suggestion the Barons of the Exchequer, concurrently with the Lords of the Treasury, transferred the custody of the unarranged miscellaneous records to the commission. Whenever any subsequent circumstances have arisen Mr. Vincent always said he interpreted the Treasury warrant literally. I knew that miscellaneous records were not only at the King's Mews but were also at Westminster, and I have applied frequently to have the whole of the miscellaneous records centralized. Mr. Vincent was disposed to give effect to my suggestion, on proper application being made, but his reply was, "Mr. Cooper hardly recognises you as a servant of the board, and your appointment has never been officially notified to me. If these records at Westminster are wanted, the secretary should apply to the Court, and I shall not raise any objection." But Mr. Cooper unfortunately at this period had some other disputes with the King's Remembrancer, and by all I could say or do I could not induce Mr. Cooper to make any application for that purpose. Afterwards I was, through the personal kindness

kindness of Mr. Vincent, enabled to carry on the arrangement more satisfactorily, Mr. Protheroe having introduced me to him; and on several occasions he acted under the spirit of the warrant rather than according to the strict letter.

4598. What were the instructions of the board to you upon the subject?—I never had any instructions from the board; I never saw the board.

4599. Under whose authority did you act in arranging this large class of records?—I acted under the authority of the person who paid me.

4600. Who was that?—Mr. Cooper; my receipts being given for payment as received from the Record Commission.

4601. Did you ever receive any instructions from the board upon the subject?—Never in the slightest degree. I may mention, when Mr. Hallam and Mr. Petit came to inspect my operations at the Augmentation Office I told them that the miscellaneous records had been transferred to the custody of the board; they were not even aware of the fact, and received it as a piece of information.

4602. Did any of the commissioners ever visit the place where you were carrying on those operations?—Mr. Protheroe occasionally visited, and I had one visit from Mr. Hallam and Mr. Petit.

4603. That was on a round of inspection?—They came expressly to see my operations upon the Augmentation Office records, not the King's Remembrancer's.

4604. You were arranging the records of the King's Remembrancer's Office?—Yes, simultaneously with the others.

4605. Did the secretary superintend those arrangements in any way?—Not in the least degree, except furnishing the materials and paying the money.

4606. Did he suggest the plan?—Not in the slightest degree.

4607. Did he say you were doing what was right?—I explained on my last day's examination; he paid me eight visits at the Augmentation Office in the year 1834, during the several terms; he came twice in January, twice in April, twice in May, and then there was a lapse of five months, and he came twice in November; that was all I saw of him officially in 1834, excepting my own voluntary calls at his chambers. In 1835, from August to December, I never saw him at all, either at his own chambers or the Augmentation Office.

4608. Mr. *Hawes.*] Had you any written communications from him?—I had a great many written communications from him from time to time, chiefly asking information. I frequently made suggestions to him, and wrote to him when I saw any need. The chief point upon which I wished Mr. Cooper's interference was the point of centralizing the miscellaneous records, and assisting the public service in that respect, but he always had "reasons," without specifying them, against interfering. I have a good many of his letters, in which he says there are "particular reasons" for not doing anything now. I once asked him for a copy of the warrant under which the records were transferred, to insert it in my report; his answer was, "there are particular reasons for not printing the Treasury warrant to which you allude, and other documents connected with it, at present."

4609. *Chairman.*] Of these records you formed a catalogue, did you not?—Yes; one to a very considerable extent.

4610. What has become of this catalogue; is it the work mentioned in the return to Parliament of the works published by the commission?—It is the same.

4611. What has become of that catalogue; has it been published?—The printing of the catalogue commenced, but was suspended; the catalogue, during the two years in which I was actively employed upon these records, extended to a description of more than 6,000 records.

4612. Was this catalogue shown to Mr. Cooper?—The catalogue was shown to Mr. Cooper; and Mr. Cooper, in his letter, says, "I have carefully examined the specimen of a catalogue of the Miscellaneous Records at the King's Remembrancer's Office." He afterwards sent it himself to the press; and such was his impatience for its commencement that the Board was not consulted before it was sent to press, as appears by a comparison of the King's printers' return with the order of the Board. He told me it was desirable to get on with the greatest expedition; that if it were begun it was not likely to be suspended, and the beginning it was creating a sort of necessity for its publication.

4613. Did Mr. Cooper inform you whether he had shown it to any of the commissioners?—He told me it had created a "great sensation" in the commission; and I know several gentlemen to whom he had shown it, expressing at the same time considerable approbation of its execution.

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4614. Who are those persons?—Mr. Protheroe, Mr. Stevenson, Mr. Hardy, I think he mentioned Mr. Allen's name also, and some others.

4615. Subsequently Mr. Cooper found out that these specimens, of which he had so highly approved, and which he had shown to other persons in the employ of the board as specimens they were to imitate, were exceedingly inaccurate, and ought not to have been proceeded with?—Mr. Cooper suspended the printing of those catalogues because I had asked a remuneration for my extra services in the year 1835, which he thought too large. The remuneration I asked for the catalogue was less than that paid to any other person who had compiled catalogues. I know not if Mr. Cooper objected to this particular charge. I asked three guineas a sheet, and Mr. Cooper had paid five guineas a sheet: I refer the Committee for these facts to the Parliamentary Return of 1833. Mr. Cooper immediately suspended the printing of the catalogue, and then hunted out for reasons for continuing the suspension; and evidence has been given before the Committee that Mr. Hunter was the agent employed upon this occasion. I feel aggrieved upon this point: I have been treated in respect of this catalogue as other gentlemen have been treated in respect of their works; I would instance the case of Sir Francis Palgrave. I happen to know all the details of the mode in which Mr. Cooper attempted to effect the suspension of the Parliamentary Writs. I must say that I have been treated in a manner as disagreeable and unofficial as Sir Francis Palgrave was. Sir Francis Palgrave has publicly expressed what he felt upon the occasion, and I feel myself entitled to a similar expression of feeling. I wish to observe to the Committee, that if I quarrelled with Mr. Cooper, or Mr. Cooper with me, I have been in the situation of similar dissatisfaction with Sir Francis Palgrave, Mr. Petrie, Mr. Hardy, Sir Harris Nicolas, and almost every person whoever came into any communication whatever with Mr. Cooper.

4616. You heard the faults that Mr. Hunter in his evidence here found with your catalogue?—Yes; and I must say, considering all the circumstances, I was amazed. Mr. Hunter first complained of the plan of my catalogue. In my report before alluded to, and which was submitted to Mr. Hunter, as sub-commissioner for arranging the General Report of the commission, I had fully explained my reasons for the plan I had adopted, as well as the objections; and the Committee will hardly believe that Mr. Hunter should have ventured to criticise the plan of my catalogue, without alluding to my report and the explanations of the plan, and had excised from my report the very explanations I had given, and the very reasons why I adopted it. Mr. Hunter suppresses my reasons, and then comes forward here as a witness to complain of my plan.

4617. Will you state an instance?—He objected that the catalogue was arranged chronologically, and not arranged either according to the classes or on an artificial mode (Ev. 3299). I had said in my report, "The advantages of a catalogue arranged either chronologically or according to subject are greatly superior to any artificial arrangement like that adopted in the Harleian or Cottonian collections. A catalogue, to be complete, must include an arrangement of both descriptions. Either the text of the catalogue must be arranged in chronological order, and an analysis of the subjects appended, or the text must be divided into its respective subjects, and a chronological abstract added. The first plan has been chosen in the present case, as being the simplest, most definite, and easiest of performance. It would have been almost an endless task to have divided a mass of 5,000 bushels, containing probably not less than 200 subdivisions of records, into any correct arrangement of subject. It would have been impracticable, even on the ground of local accommodation, and years might have elapsed before a single division could have been presented in a state of moderate accuracy. On the contrary, a chronological arrangement of a large portion has been prepared in a few months, with sufficient accuracy to warrant its publication. Should an arrangement according to subject matter be preferred, there are no obstacles to its performance created by the present state of the catalogue. All that has been prepared is so much gained towards either mode of arrangement. There is this great advantage in a chronological arrangement of records comparatively so little known, that the historian is enabled to take a complete survey of all the materials of any one period." That was the principal reason why I preferred the chronological arrangement of the catalogue. An historian wishes to ascertain the records in the King's Remembrancer's Office belonging to a reign, and my object was to place before him all the records to be found in that

reign,

reign, and to append an analysis of those records into their several classes. Another objection raised by Mr. Hunter was, that I had not given sufficiently lengthened accounts of some documents: that I had not given a sufficiently lengthened account of the Liber Niger, for instance. This work is printed, and it would have been useless and a waste of time to have given a lengthened account of it. I referred to the book as printed, and described the record itself. Then Mr. Hunter objected, that the arrangement should not be chronological, because there were some documents, as chartularies, (very few in proportion to the general contents of the King's Remembrancer's Office,) which could not enter into any chronological arrangement. That position amounts to this; 5,000 documents might be arranged strictly chronologically, and some 50 could not be so arranged; and it therefore seemed to me to adopt an artificial arrangement for the very small minority, in preference to a good and useful arrangement for the great majority, would have been a very absurd process. It was my intention to have placed at the end of each volume a list of those few documents which could only be arranged artificially. Mr. Hunter said that there would be useless repetitions in a chronological arrangement; I deny the fact, and could establish my assertions, only I should weary the Committee with details. Then Mr. Hunter took me to task for my saying that Le Neve, who was a herald, and too "eminent a man," in Mr. Hunter's "serious judgment," to say anything absurd, had expressed an opinion that was "absurd:" Le Neve had said what was clearly an error and untrue, and I did not think it too strong to characterize Le Neve's opinion as "absurd." Le Neve mentioned a copy of Doomsday Book, which had been manifestly written in the 13th century, to have been written in Henry the 7th's time. Then it is said I printed descriptions of documents from printed works: as the printed work Mr. Hunter alluded to (Ev. 3307)—an edition of the "Rotuli de Dominabus," by Stacey Grimaldi, Esq.—gave a much fuller account of the document than I should have given, considering I had so many other records to attend to, I thought it better to adopt that; and I should have considered it a waste of time to write a fresh description, for novelty's sake, when I found one already prepared. But the most extraordinary correction that Mr. Hunter would have addressed to me relates to one Sir Symonds, Simonds or Simon D'Ewes, known as an antiquary of some note, and a transcriber of MSS. I had called him Sir "Simon" Dewes, instead of Sir "Symonds D'Ewes," according to Mr. Hunter. Now it happens that Mr. Hunter has printed a work, the Pipe Roll of Henry 2, in which he speaks (in page 12 of the preface) of Sir "Simon" Dewes, in a quotation from Prynne, a cotemporary of D'Ewes, and Mr. Hunter has made no allusion whatever to Prynne's error, if error it be. Mr. Hunter said too, that no antiquary, or any person professing to be an antiquary, could have made the mistake; it happens that Prynne has made the mistake, if a mistake it be, and Sir Francis Palgrave too has made the mistake, if it be a mistake.

4618. Where did Sir Francis Palgrave make the mistake?—In the preface to the Rotuli Curiæ Regis, at page xcviii of the first volume. Then there was a passage in a very bad handwriting, which I had read Guischardum de Scriptione Belgiæ." Mr. Hunter, I think, said there was no such word as Scriptione, and that the phrase was "arrant nonsense." When he said this, he could not have looked into Du Cange's Glossary, who gives five translations of the word "Scriptio," either of which would have made sense: but Mr. Hunter knew nothing about "Guischardum" when he mentioned that author before the Committee; for I have since ascertained it should be "Guischardini" for Guicciardini. The word was written very unintelligibly, and I read it for Guischardum de Scriptione Belgiæ; that was the interpretation I had given. Mr. Hunter said to the Committee it ought to be Guischiardum, descriptionem Belgiæ, because there was no sense in "de Scriptione."

4619. Those errors that were found out subsequently to your disputes with Mr. Cooper have been assigned as reasons for suspending this work, which had been previously highly approved of by Mr. Cooper, and printed at the expense of the commission?—They were assigned as the reasons for continuing the suspension of the work. The suspension originated before the alleged discovery.

4620. Sir *Robert H. Inglis*.] You have stated words to this effect. Mr. Hunter came forward as a witness; were you in the committee-room at the time when Mr. Hunter was examined?—I do not mean that Mr. Hunter came voluntarily forward in this committee-room as a witness, but that he had brought himself

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himself in some way forward to Mr. Cooper, and certainly to Mr. Protheroe, as a witness of my inaccuracies.

4621. Were you in the room during the time that Mr. Hunter was examined? —A considerable portion of the time.

4622. Were you in the room at the time he expressed his great reluctance and pain at being examined at all, and complained strongly of the almost breach of confidence under which he was required to give evidence here, the communications he had previously made having been made in what he regarded as confidence?—I was in the room when he gave expression to feelings somewhat of that character, but not in the room when he made the strongest exhibition of feeling. I quite acquit Mr. Hunter of coming forward publicly as detecting my errors; if Mr. Hunter had had any scruples or delicacy about the matter, he would perhaps have asked some explanation of me before he reported to Mr. Cooper that such inaccuracies did exist. I never had any communication with Mr. Hunter upon the subject, and received only a slight observation or hint from Mr. Cooper.

4623. *Chairman.*] But now you say that not only did Mr. Hunter not communicate to you the fault found with the catalogues before passing that unfavourable judgment which led to the continuance of the suspension of them, but that he expunged from your report the explanation of the faults found in the catalogue? —He and Mr. Cooper jointly expunged the explanation of my plan, which is pronounced faulty; it is difficult to say which did it. Mr. Hunter would say the commission did it; but Mr. Hunter, when asked what he meant by the commission or "they," interpreted "them" to mean himself.

4624. Sir *Robert H. Inglis.*] Do you quote now from evidence given before this Committee?—I quote from letters received from Mr. Hunter.

4625. Were you aware that Mr. Hunter stated himself to have received a communication from Mr. Cooper, as the secretary of the commission, requesting him to examine the catalogues in question, and that he considered his compliance with such request as an act, on his part, due to the character of the officer who desired his assistance, or words to that effect?—I heard indirectly, some months after Mr. Cooper had expressed his dislike of the catalogues, that Mr. Hunter had been the person who had detected what he termed the inaccuracies, though I never had any actual official communication of the fact.

4626. My question had reference to the fact rather of your knowledge, so far as what passed in this room went, of Mr. Hunter's view of the circumstances attending Mr. Cooper's application to him?—Certainly I heard his evidence in this room.

4627. And from that evidence collected that, in Mr. Hunter's opinion, he was consulted by Mr. Cooper as secretary, and felt it was an act consistent with his duty, in the relative position in which the parties stood, to render that assistance? —Undoubtedly I heard Mr. Hunter's explanation. Though it might be his duty to criticise my labours, I conceive it was his duty, by courtesy at least, to have communicated with me, and have got the fullest explanation before he undertook, without my knowledge, to say they were erroneous.

4628. *Chairman.*] During your dealings with the Exchequer records, did any difficulties arise from the disputed custody of them?—Certainly; I consider a great many impediments arose from various sources. Many were created by Mr. Cooper's proceedings, and many could certainly have been removed by him, had he been pleased to act.

4629. Did the officers who had the legal custody of those records throw any obstacles in your way?—I received great politeness and personal kindness individually from every officer, but such was the sort of custody existing amongst the whole, that I experienced very great and insurmountable impediments; for example, I may mention that Mr. Vincent directed certain Nonæ Rolls to be delivered to me, and I made no less than nine applications to procure them; yet though the head of the office had enjoined the delivery of them, I was never able to obtain them. I was authorized by the commission to have a transcript made of the caption of seisin of the possessions of the Duchy of Cornwall, a record in the King's Remembrancer's Office; and upon this occasion my communications, first with Mr. Vincent, and then with Mr. Brown, his secretary, then with Mr. Adlington, and also with Mr. Trickey, the bag-bearer, amounted to no less than 17 distinct applications. Mr. Vincent gave express orders, but I did not succeed in obtaining the object of transcription. I reported the circumstances from time to time to Mr. Cooper; his answers, impatiently delivered, were, "you must do your

your best for yourself." The matter dropped, and the commission never succeeded in obtaining a transcript of that document, and, to my mind, the commission appeared unable to accomplish its express object.

4630. Is it your opinion that the commission by its constitution has not sufficient legal authority to enable it to effect its purposes?—I must say, I think the commission has not sufficient legal authority, but I think the commission might easily have got legal authority.

4631. Do you think it probable, even in the absence of legal authority, by proper management it might have succeeded, with the consent of the keeper?—I have no doubt of it whatever.

4632. Do you not think that the commission ought before this to have applied for the extension of its powers over these records?—I do not think the commission knew fully of the difficulties; they were only known to the secretary, who acted on the part of the commission: I should hardly have thought if the matter had been communicated to the commission, that it would have abstained from applying for further powers. It appeared to me that the means taken by Mr. Cooper (I speak of him only in his official capacity) were the worst possible for accomplishing the objects of the commission.

4633. Are you the author of the volume that is produced here, "Selections from the Miscellaneous Records of the Exchequer"?—I am.

4634. For what purpose did you make these selections?—The view I had in my own mind in making them was, to illustrate the nature of the documents to be found in the King's Remembrancer's Office.

4635. Was this done under the superintendence of Mr. Cooper?—It was done under the order of Mr. Cooper, but in no respect under his superintendence.

4636. Did he know what you were doing among them?—He might have known by sending to the printer. I cannot say if he knew. Mr. Cooper is incorrect in saying I consulted him.

4637. How long has this volume been completed?—Since December 1834.

4638. Is it published?—No, it is not.

4639. What has led to its not being published?—Because it was not Mr. Cooper's will.

4640. There has been a copy produced here with a title-page bearing your name, and in the copy produced by Mr. Cooper in compliance with a return ordered by the Committee, a copy of the same work has been produced without any title-page, and without your name to it; can you account for the absence of the title-page in this copy; will you state any circumstances connected with it?—I drew up a title-page and some very brief introductory notes, which I transmitted to Mr. Cooper, requesting him to send them to the printer, inasmuch as I thought if he had any objection to the title-page he would alter or not send it. They were sent to the printer by Mr. Cooper himself, and to my belief 250 copies of the title-page, &c. were printed off. I do not believe that Mr. Cooper had any desire to expunge the title-page and cancel the preface with my name to it until after his dispute with me, inasmuch as he had lent the volume in its complete state to Mr. Brayley, and I found it quoted by the title I had given to it.

4641. In what work?—The History of the Palatial Edifices of Westminster. Mr. Brayley informed me Mr. Cooper had lent the volumes, and on the cover of one of the numbers of Mr. Brayley's work it will be seen that thanks are publicly returned to Mr. Cooper for the loan.

4642. Have you any other statement to make with respect to this work?—I have this statement to make: I thought the proceedings of Mr. Cooper exceedingly imprudent in ordering me to select any materials I pleased, and to print them just at my own option. I had a strong dislike to doing the work at all; but as my emoluments were to depend upon my doing it, I had no choice but to take Mr. Cooper's orders, and his orders were to select any materials I pleased and print them; it seemed to me highly improper that a volume costing so much money, or any volume costing any part of the commission's money, should be in progress at the will of any individual, without the commissioners knowing the materials selected. I have frequently expressed these opinions to Mr. Protheroe.

4643. Do you mean that the work was edited by you without any authority of the commission?—I am quite certain it was begun without any specific authority of the commission, and it was begun on Mr. Cooper's own responsibility; the fact could be easily ascertained by calling for the order of the board for printing this work.

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4644. And this work contains valuable information, does not it?—It contains important records, parliamentary rolls, plea rolls, and various information that many persons have pronounced to be valuable.

4645. And this work is not published as the other works of the commission are, but is merely to be published as an appendix to the Agenda or Acta of the commission?—So I understand. I conceive it was under a very vague authority that Mr. Cooper authorized me to do it.

4646. What is your opinion of the propriety of publishing valuable records in this manner for the private use of the commissioners, and appended to their proceedings?—I think it a very injudicious mode. Every one must see that the expense of a volume like the Agenda is so great that the public is entitled to have some more extended benefit in it than 50 copies confer; the public have only access to the volume at the British Museum; an additional number of copies might have been printed at a very slight expense. There is also a great objection to mixing up important documents of a permanent interest with matters of the most ephemeral character, and which if printed at all, should be in the cheapest possible form.

4647. We have been told by Mr. Cooper of a bill of medicines furnished for the use of Edward the First, and which he tells us fills up the void between Galen and Paracelsus, which is printed in the Agenda?—That bill was furnished by myself, and Mr. Cooper has found out the importance of it since it was printed; the matter was thought of so little importance at the time that two transcripts of it were lost or mislaid by Mr. Cooper. I sent it to him as a matter rather curious than important.

4648. Filling up the void between Galen and Paracelsus is a matter of great utility to antiquarians; is not the void much less effectually filled up by its being printed in the Agenda; is not its utility quite spoiled by its being inserted here?—There could have been very little desire "to fill up the void," when he merely printed memoranda of any curious documents I chanced to send him; or if he had had such a design, he would certainly have adopted another and more efficient method of making it public. This bill was produced by me to illustrate the character of a class of documents to be found in the King's Remembrancer's Office.

4649. Did you make any inquiries respecting the sale of the Exchequer records?—I made extensive inquiries respecting the sale of the Exchequer records in 1834. I was the means of detecting that a person connected with the King's Remembrancer's Office had been found disposing of certain records, which, to my mind, there could be no doubt had formed part of the records of that office, to a dealer in St. Martin's Court. They were afterwards sold to Mr. Pickering. Mr. Cooper went with me to a police-office to inquire what measures should be taken, but the matter dropped.

4650. In consequence of your information Mr. Cooper did not take efficient measures?—Mr. Cooper took no other active measures; but it was not in consequence of my information; I wished him to take active measures. He made some communications to Mr. Vincent, some to the Treasury, and some were made to the Barons of the Exchequer; the result of all was, that the public records remained as the private property of Mr. Pickering.

4651. Did you not draw up a report upon the subject?—Yes; which I sent to Mr. Cooper.

4652. What was done with it?—I do not know with certainty.

4653. Was it laid before the board?—I cannot say.

4654. Was it published?—No.

4655. Did you mention it in the general report?—I mentioned certain facts concerning the sale of records; this portion was cut out. There was an extensive sale of records in the library of Mr. Craven Ord, one of the Secondaries of the King's Remembrancer. Exchequer documents were sold to the amount of 600*l.*, and I have not the least doubt they belonged to various series of records in the King's Remembrancer's Office.

4656. You mentioned that in your report?—Yes.

4657. And has that passage been cut out of your report?—Yes, that is my impression; I can refer to the report immediately: yes, I find the whole of that portion too is taken out.

4658. When did you first enter the Augmentation Office?—In May 1833, at the request of Mr. Cooper, I went with Mr. Protheroe to see how the workmen were proceeding there. Mr Caley at that time was alive, and the keeper of the office.

4659. In

PLAN

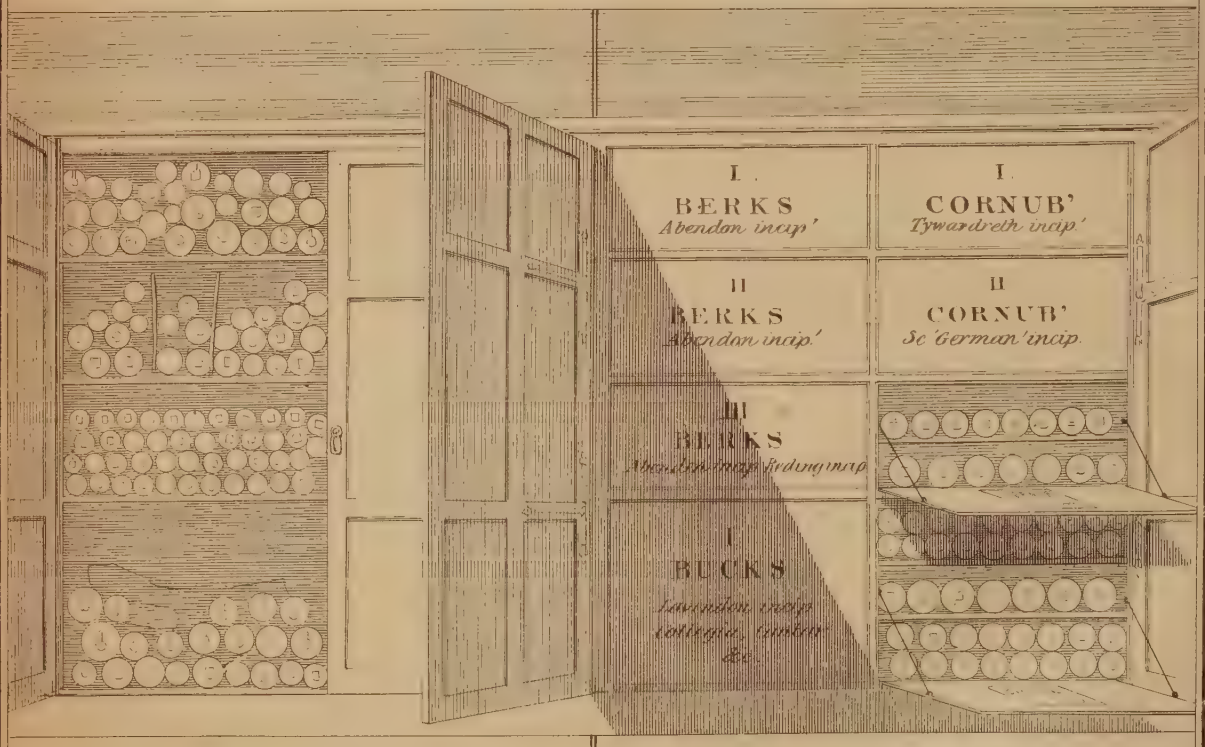
of the FORMER and PRESENT MANNER of arranging the

RECORDS

in the

AUGMENTATION OFFICE

Referred to in Mr. Cole's Evidence, 20th May.



Specimen of Title affixed to each Roll: a list attached to each Box: the whole entered in Volumes.

32 Hen 8
Cornub'
Sc. German
incip.

Arrangement before October 1834.
No Chronological order: many Rolls without Titles.

Arrangement after October 1834.
Strict Chronological order: Every Roll titled.

J. Basire, lithog.

Ordered, by the House of Commons, to be printed

Ja.s & Luke G. Hansard & Sons, Printers.

4659. In what state did you find that office?—In a state most disgraceful indeed; in a state completely in accordance with the description of Mr. Protheroe. I beg to refer the Committee to a long report I made in which the condition is explained.

4660. Were the records in great confusion?—The classes of records were very badly arranged locally; there was no sort of system pursued, either in cleaning, repairing or binding; all was left entirely to Charles Gay. I can better illustrate the state of the local arrangement by exhibiting a sketch I have made, and which shows the character of the old and the new arrangement (*exhibiting the paper marked* A.)

4661. Were they in a dry state?—Yes, but very carelessly kept; the ministers' accounts (although to a certain extent preserved in topographical order) were lying loose on shelves; the rolls not carefully tied up, but exposed to dust; neither were they chronologically arranged, nor had they for a very great part tickets or labels indicative of the county and period to which they belonged.

4662. You were then in the office under Mr. Caley?—No; Mr. Cooper erred when he said so in evidence (Q. 77); I never saw Mr. Caley at the office.

4663. While Mr. Caley was keeper were not you put into the office?—Yes; I was sent to see the progress of the commission's operations.

4664. In what station were you put in that office?—No station whatever; I had no special appointment.

4665. What were your duties?—Merely visits of inspection. I made a few suggestions, principally with a view to order and cleanliness. Some months after my first visit I transferred my operations and establishment for arranging the King's Remembrancer's records to some vacant rooms in the Augmentation Office. I had nothing to do at that period (November 1833) with the Augmentation records, beyond seeing that the workmen employed attended regularly.

4666. Did Mr. Caley, the keeper, regularly attend?—I never saw him during the time, about a year, I was in the office.

4667. When had you first anything to do with the records in the Augmentation Office?—Upon Mr. Caley's death.

4668. When was that?—In April 1834.

4669. Did you consider yourself under Mr. Caley's control?—Mr. Caley of course, whilst keeper, could have turned me out of the office, and have shut the doors against the workmen of the commission; but I never had any connexion with him, and he never visited the office after my first appearance there.

4670. On Mr. Caley's death you were appointed temporary keeper of the office?—Yes; I received a letter from the secretary, desiring me to discharge the duties of keeper *ad interim.*

4671. Was anything said about your doing so under Mr. Cooper's superintendence?—No, certainly, not a word; he says, in a letter of April 4, 1834, "Mr. Caley's death having left the records of the Augmentation Office without a keeper, you will be so good as, *ad interim*, to perform the duties of that situation;" then, on July the 29th, 1834, he addresses me as "temporary keeper of the records at the Augmentation Office," desiring me to make an official return of the state of the office; and on December the 23d Mr. Cooper wrote to me a note for the express purpose of telling me to make my return as "keeper of the Augmentation Office."

4672. You in fact considered yourself the temporary keeper of the office?—I was so; in fact Mr. Cooper had once or twice gone out of his way to address me by that title.

4673. You considered yourself as having all the duties and all the responsibilities of that office?—Undoubtedly.

4674. Were the workmen under your control?—The whole of them.

4675. Did you pay them?—Yes, weekly.

4676. Did you carry on the arrangement?—Yes, to very considerable extent; the whole office has been entirely re-arranged since my appointment; the arrangement resulted in a great measure from the accident of the fire, which gave me opportunities for re-modelling the office, and re-arranging the whole contents of the office.

4677. Did you hear anything of the sale of Mr. Caley's indexes, and can you give the Committee any information upon the subject?—I was desired by Mr. Cooper to make a report on the value of those indexes; amongst the whole lot there was only one index of any considerable value, in my opinion; and in estimating the value of the whole indexes, I fixed the prices, especially with reference

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to that particular index; it was an index to the particulars of grants; I considered it worth nearly the whole amount.

4678. What was the sum demanded by the executors?—£.220, I believe.

4679. What did you consider their value?—I estimated them at 120*l.*, and upon this matter I had the benefit of Mr. Hardy's opinion, who, without any concert with me, estimated their worth at the identical sum I had fixed. Amongst Mr. Caley's indexes was an index sold, which, without the slightest shadow of doubt, was public property; it was an index made by a clerk of Mr. Caley's, who had been paid for a period of several years weekly by the commission.

4680. Paid for doing what?—For making this index. Although the fact is stated in the Agenda, p. 164, Mr. Cooper has given some sort of evidence (1281) to show that this index was not the commission's property; before I ventured to assert that it was, I required that clerk who made it, Henry Barber, to furnish me with a written statement of his work during the time he had been with Mr. Caley. For eight years he was employed in copying the tickets of the rolls, and covering some few rolls with parchment; he covered a very few rolls, not above 500. The chief part of his labour was devoted to making this index, which he called copying the tickets. I have a paper drawn up by him in 1834, which he sent to me.

4681. That index having been made by a person in the pay of the commission, and who did scarcely anything else, you considered it was an index made at the expense of the commission, and the property of the public?—Yes.

4682. Did you state that to Mr. Cooper?—Yes, every particular; and Mr. Cooper has put part of my report in evidence. I thought the index badly made, and a very imperfect one; but on principle, I thought it should be recovered as the property of the public. Mr. Cooper, in saying I had stated this index to be worthless, said he supposed I had rendered it so by the fact of my having cut off a number of labels from the rolls (Ev. 1281). At the time I passed an opinion of the worthlessness of this index I had not removed a single label from any of the rolls; I was scarcely appointed keeper of the office. Whatever labels I have subsequently removed have been so removed to improve the arrangement that was carrying on in that office; the labels having either been wrongly titled by Mr. Caley, or were cumbrous, inconvenient and ill-shaped. Wherever I have removed them, and wherever labels should be, I have replaced them by what appeared to me improved labels.

4683. What did those indexes sell for at the sale?—A sum of 225*l.*

4684. They were not bought by the commission?—They were not purchased by the commission.

4685. Into whose hands did they pass?—Into Sir Thomas Phillips's. Messrs. Payne & Foss were the booksellers who purchased them, I believe, on behalf of Sir Thomas Phillips.

4686. You state you did not make much alteration in the arrangement of the Records at the Augmentation Office until the fire?—Not to a very great extent.

4687. Some evidence has been given by Mr. Cooper respecting what occurred at the fire, and he has stated on that occasion you did not do your duty as the keeper of that office?—I never heard the slightest suspicion I had not done my duty till I heard Mr. Cooper give that evidence in this room. The best possible contradiction I can give to that is, that at the committee (Messrs. Hallam, Allen & Petit) appointed to consider my claims, besides a remuneration, according to some principles fixed by themselves, actually added the sum of 80 guineas for my exertions in removing the evils produced by that occasion; therefore, how Mr. Cooper could say I had not done my duty, when the commission in January last had given me 80 guineas for doing my duty, I cannot imagine.

4688–89. State what occurred at the fire with regard to these records, in order that we may know the kind of risks that the records run, and what was done to save them?—Before I reply I will say that Mr. Protheroe was present at the fire, and left the scene before I left it, and I left in company with a gentleman exercising the functions of a sub-commissioner. Now, had I neglected my duty upon that occasion, both of those gentlemen would have represented to me the inexpediency of my leaving the scene. The records were removed, as far as was practicable, in boxes and sacks.

4690. At what time were you at the fire?—Between seven and eight, very soon after it commenced; and upon my arrival I found that Mr. Protheroe had opened the door of the office, and was preparing to remove the records. He and the soldiers

soldiers and myself filled all the empty sacks at hand, and when the supply of sacks fell short, it being represented to us that the building would inevitably be burnt, we were obliged to resort to the windows, and to turn the records out on the pavement, which at that time was quite dry. The soldiers were keeping the crowd off. The large rolls not likely to suffer any injury were thrown out at the windows, and removed to St. Margaret's Church opposite. All the documents of the King's Remembrancer's Office fortunately were in boxes, and, with the exception of one box thrown out carelessly when I was away at the church, they were all removed to the church in safety and without disorder.

4691. Did you leave the fire till all the records were safe in St. Margaret's Church?—I did not leave the fire till I had placed every record I thought possible in safety. Mr. Cooper has spoken of some records found in the gutter. If he had been upon the spot, (which he was not until about one o'clock, when all the records were, as I believe, safe) he would have seen, after an hour or two, it was impossible to do anything with the gutters, whilst crowds of soldiers were about and the darkness continued. The streets were half covered with water; and in removing the records, which I did, I was completely wetted through before I had finished, and up to my knees in water. Mr. Cooper in saying I did not do my duty in not picking any few documents out of the gutter which were concealed by the water, does not give a fair representation of the circumstances.

4692. Mr. Cooper has stated he collected great quantities of records?—I cannot say what quantity he collected, if he collected any, beyond one or two small rolls. I know a great many of the House of Commons' papers, (petitions and returns to the Medical Committee) were sent into the Augmentation Office, and produced a great deal of confusion; and it is very possible that Mr. Cooper may have mistaken these modern petitions for the documents belonging to the office.

4693. After this you proceeded to arrange the records that had been thus thrown into confusion?—I did so, and my first step was to apply to the Board of Works for a sufficient number of boxes to contain the whole of the documents, and which, in case of any similar calamity, could be readily removed; the whole of the ministers' accounts, between 4,000 and 5,000 rolls, were wholly re-arranged, and great part ticketed; each roll was placed where it would permanently remain in a box; an account of the contents of the box was affixed inside the box, and its contents were copied into a press catalogue or inventory, as is shown in the sketch I produced, so that it became impossible for any record to be missing without the accident being discovered; a circumstance that could not have been ascertained previously to the fire.

4694. Have you provided effectually against their being similarly thrown into confusion in case of another fire?—I think entirely so by means of these boxes; if any fire should happen, and there should be only half an hour's preparation before the building was on fire, the whole of the contents could be removed without any disorganization.

4695. You have been arranging these records?—Yes.

4696. According to what system?—I arranged all classes, where it was possible, according to their respective classes; but there was a considerable portion which it was not possible to arrange in classes, and for that species I adopted a topographical arrangement. Mr. Caley had adopted a purely artificial arrangement, and the records were practically quite inconsultable without reference to his catalogue; that he kept at his own house in Spa-fields.

4697. The arrangement you have adopted would in a great measure supply the place of a calendar?—Yes, most effectually; a calendar would only save time; any person may consult the office calendars, and he will find in boxes the miscellaneous records for each county centralized all in one spot. Mr. Caley arranged them by bundles, whatever might be the nature of the documents; he ticketed the bundles 1, 2, 3, 4; a bundle would contain 16 or 17 sorts of documents, of which I have an instance here; many of the documents belonged to classes already known in the office, and might have been separated into classes, as they have been since.

4698. Has not Mr. Caley sometimes lettered the volumes on the back as a class of records?—The lettering generally has been executed in a most disgraceful manner; the lettering is incorrect in almost every respect; I may mention, for instance, the ledgers of the payments of the Court of Augmentation; they form six volumes, and each volume is lettered in a different manner. Then again there are books lettered with one title, that title having no reference to the contents; dates are also very incorrect.

4699. Is

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4699. Is there not one volume lettered as rentals that contains 17 documents, not one of which happens to be a rental?—Yes, it is so; the Committee could satisfy themselves of the fact by calling for the production of the volume.

4700. Are you aware of Mr. Caley's having cut off the seals?—He cut off the seals of a great number of conventual leases, in order to arrange the leases in volumes.

4701. Does not this injure the value of the document?—I should say decidedly so, independent of any kind of antiquarian sentiment in preserving the documents in their original integrity.

4702. Many of the seals are handsome?—They are beautiful, and of most elaborate workmanship.

4703. Mr. Caley was a great collector of seals?—He had many thousands.

4704. Mr. *Pusey.*] Are the seals lost to the public?—It is impossible to say.

4705. Are they out of the custody of the public offices?—No, some are in the office; they were cut off and placed in boxes.

4706. Sir *Robert H. Inglis.*] They have not gone to add to the collection of Mr. Caley?—No; I would not be supposed to assume anything of the sort.

4707. Mr. *Hawes.*] There were not any seals sold at the sale along with the index?—There were great quantities sold, principally casts; but I do not think there were any original impressions. I think that Mr. Caley formed a wrong notion of arranging those documents with seals in volumes; he ought not to have adopted any mode which would have destroyed the seals: his love for collecting seals induced him, though perhaps he would hardly admit the motive to himself, to remove the seals for the convenience of copying them and taking casts. After his death the solicitor to the estate returned me a number that had been taken from the office, and that had remained in Mr. Caley's house.

4708. *Chairman.*] In speaking of records, did you bring to light any that had been lost for some time?—I do not know that they had been lost, but I have brought to light many records, some very important to the Duchy of Cornwall.

4709. Those have been found of very great importance in legal inquiries?—Yes, of very great value. There was a dispute between the Duchy and certain parties in the county as to the right to mines, and a question to the amount of several thousands of pounds a year was determined by a document recently found in the Augmentation Office; the parties would not go into Court in consequence, I have understood, of the discovery of that document, which related to a dispute touching the manor of Tewington.

4710. Were any portions of the *Valor Ecclesiasticus* discovered in the Augmentation Office?—Yes, some quantity, being, as I believe, the original returns of the Ecclesiastical Commissioners, was found after the supplemental or sixth volume had appeared to that work.

4711. Is it your opinion that they ought to have appeared in the Supplement to that work published by the present commission?—No doubt they ought to have been inserted in it, because the Supplement is formed of precisely similar documents found for the most part in the Augmentation Office. Mr. Hardy has given evidence on this point, in which I entirely concur, and I need not therefore repeat the same.

4712. What fees was Mr. Caley accustomed to charge for searches?—An *ad libitum* fee.

4713. Was it fixed at all?—It was stated in the Report of 1800, but not adhered to by Mr. Caley to any extent. I always understood he charged pretty much what he liked.

4714. What clue had the public to the correctness of the fee charged?—Only Mr. Caley's inclination.

4715. Did you alter the fees?—Yes, I reduced them as much as possible, and I appointed a small definite fee to every class of records consulted.

4716. What was the process of searching in Mr. Caley's time?—An applicant having learned from some source, or presumed the existence of a document in the office, he might come to the office when Charles Gay was not there, he would then have to come a second time; if he chanced to find Charles Gay there, he was sent to Mr. Caley's house, and informed him of his object, if he found him at home on his first application. Mr. Caley told him to call again in two or three days, and he would in the meanwhile make a search. Mr. Caley having searched his indexes, the applicant called: he would tell him, "I have searched, and if you call again you can see the records." The records were brought from the office to Mr. Caley's house, and it very often happened that the precise document

document wanted was not produced. Parties have informed me they have lost a fortnight in running backwards and forwards to his house.

4717. Did he allow anybody to search the indexes?—No, not even the public indexes.

4718. Have you adopted any other rule in that respect?—I always allowed every applicant to search all the indexes without any fee; but if he examined the record itself he paid 8*s.* 8*d.*

4719. What office hours did you find when you came to the office?—I do not think there were any fixed hours; the workmen repairing records in Mr. Caley's time attended from nine to four; but there were no conveniences in the place, no fires, and no proper superintendence; and it is quite clear that the workmen did not attend very regularly. They have told me in the winter they were obliged to run up and down the rooms to keep themselves warm.

4720. You found the office, as far as the keeper was concerned, pretty much a sinecure when you arrived at it?—I suppose an office to which a gentleman did not attend once during a whole year would be considered a sinecure.

4721. Did you know, at the time you entered it, he had made it a sinecure?—That was my practical experience.

4722. Did you conclude, when you were appointed to the keepership, that you were to make it a sinecure; or if you did any work, you ought to be paid in addition for that work?—The idea never entered into my mind, and is rather preposterous.

4723. Was Mr. Caley paid by fees?—He was paid by fees for the Augmentation Office, and a salary at the Chapter-house.

4724. In what time should you have finished your classification of the records?—If I had not been interrupted, I think in less than a year the whole office would have been in a most perfect state of arrangement; and indeed, before I left the office there was no document in the office I could not have readily found, by means of the system I had laid down.

4725. Do you think your plan would have prevented any future loss or abstraction of documents?—Yes, I am quite certain of it; it would have been impossible for anything to have been lost without discovering it. If we had adopted a plan of examination, as I intended, once or twice a year, we must have ascertained almost exactly the precise time any document became missing.

4726. Had any confusion existed between the documents at the Augmentation Office and the King's Remembrancer's Office?—Yes; at some distant period, certainly, but not of late years; both the offices were formerly in the same locality, and the records of each became intermixed; there are documents in the King's Remembrancer's Office that form a part of the series in the Augmentation Office.

4727. You do not think this could have happened under your arrangement?—No, it is quite impossible.

4728. Did you ever represent this to the Commissioners?—The intermixture? Yes, often and often, both to the commissioners (Messrs. Hallam & Petit) and the secretary; and I think Messrs. Hallam & Petit have alluded to it in their report, but no measures were ever consequent upon that representation.

4729. When you were dismissed what did you do with the keys of the Augmentation Office?—I first took them to Mr. Vincent, who declined taking them without the Treasury orders; I took them to the Treasury, and the Lords of the Treasury received them from me, and delivered them, not to Mr. Cooper, but to the legal officer, Mr. Vincent.

4730. Have you any explanation to give on the subject of the alleged detriment of the records in your hands, by the separation of certain of them?—I am quite sure no person looking at the records, and no person competent to judge, would say any injury had resulted from any process I had adopted; in order to substantiate this, I would request the Chairman to summon Mr. Adlington, with the necessary records.

4731. Have you any addition to make to your evidence of Wednesday?—I wished somewhat to amplify the answer I made with respect to my engagement under Sir Francis Palgrave, but I can do it another time.

4732. Do you know who your successor in the Augmentation Office has been?—My actual operative successor, as respects the works of the commission, is Mr. Charles Gay.

4733. In what capacity had he been employed up to that time?—In various capacities. I believe he began as Mr. Caley's domestic servant, then as a workman,

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man, then foreman of the workmen. He became very familiar with the outsides of the documents, and could procure most of those which searchers desired to inspect. Like all persons having connexion with these matters for a long period, he obtained a certain degree of familiarity with them; very useful.

4734. Is he a person, in your opinion, competent, without superintendence, to carry on the plan you have begun?—Certainly not; but the Committee had better take the evidence of Mr. Protheroe, Mr. Hardy, Mr. Hewlett and Mr. Illingworth, instead of mine.

Veneris, 3° *die Junii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	The Right Hon. C. W. Williams Wynn.
Dr. Bowring.	Mr. Hawes.
Sir Charles Lemon.	Mr. Jervis.

MR. CHARLES BULLER, IN THE CHAIR.

Henry Cole, Esq., called in; and further Examined.

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4735. *Chairman.*] HAVE you any further statement to make respecting the Augmentation-office?—Partly connected with the Augmentation-office and partly connected with the King's Remembrancer's of the Exchequer. I wish to add a few particulars regarding the reports I furnished of those two offices. I drew up a long report on the state of the Augmentation-office, as I had drawn up a report on the state of the Exchequer; I requested Mr. Cooper to allow me to correct the press of that report, and to supply a number of details which I was unable to give at the time I was preparing the report. Mr. Cooper having promised me I should amend that report, denied all recollection about the matter, and referred me to Mr. Hunter; Mr. Hunter referred me back to Mr. Cooper, and Mr. Cooper again to Mr. Hunter. Mr. Cooper subsequently informed me in a letter, dated December 4, 1835, that I should have power to see my reports; that "no alterations must be made without my sanction;" and that when I had perfected them as I wished, I was to transmit them to him. Mr. Cooper did not give me any opportunity of perfecting them, and my report on the Augmentation-office has been, if not worked off, at all events set up in type; and I see in the printed sheets some of those deficiencies I wished to supply; (*e. g.*) in page 217, in order to specify the very great quantity of Court Rolls in the Augmentation-office, I left a blank for the number of cubic feet, intending to supply the quantity, and there the blank still remains as other blanks have remained in my report on the King's Remembrancer's records. The dispute with Mr. Cooper respecting these reports was this: that Mr. Cooper having written me a letter expressly telling me to designate myself as "Keeper of the Augmentation-office;" accordingly I so styled myself. Mr. Cooper afterwards sought to deprive me of that title, and ordered the report to be printed without the title; in like manner Mr. Cooper had told me to style myself a Sub-commissioner for the arrangement of the Exchequer records; and Mr. Cooper, as Mr. Hunter has stated (Evidence 3346–3350), scratched out the title of sub-commissioner. Mr. Hunter, in order to conceal this from my knowledge, sent me my manuscript report, with Mr. Cooper's pencil marks, so clumsily rubbed out, that what Mr. Cooper intended to do with the title was easily detected. I have that MS. report here, if the Committee wish to see it. [*The Witness handed it to the Committee.*] The Committee will see that the pencil marks, through the words "Sub-commissioner for arranging the Records, &c.," are not wholly obliterated.

4736. When did Mr. Cooper tell you to sign yourself sub-commissioner?—About the same period that he wrote to me a letter desiring me to style myself the Temporary Keeper of the Augmentation-office. He says, in the letter dated December 23, 1834, "This note is written merely to remind you that returns must be made by you as keeper *pro tempore*, both of the records at the Augmentation-office, and the miscellaneous records at the King's Remembrancer's-office."

office." And then he adds afterwards, "I make no doubt yours will rival those of the salaried keepers." So that after having written me a letter merely to remind me how to style myself, he scratches out the designation he had told me to append to my report.

4737. Do you know anything of the arrangement of the records at the Rolls Chapel?—In 1833 I was desired by Mr. Cooper to inspect the state in which certain arrangements and binding of records had been carried on there by the commission. I observed that a plan of binding the "Inquisitiones post mortem" in volumes had been adopted, and which was exceedingly inconvenient; slow in its progress and expensive: the volumes being very large, and the documents still larger, required to be folded; and on my remarking on the inconveniences which appeared to me to attach to that mode, it was let out by accident by one of the clerks that when copies of large documents were required they were obliged to take out the documents from the volume in which they had been bound. This mode of fastening documents in a volume, and removing them, appeared to me to be so injudicious a plan that I represented it to Mr. Cooper, and Mr. Cooper, of course, as any one would do, admitted the impropriety, and desired the system should be stopped; and it has been stopped until sufficient matter to make many volumes has accumulated, and which remains unbound, and which it was intended to place in portfolios instead of binding. I was exceedingly surprised to hear Mr. Cooper's evidence on this subject. Mr. Cooper first doubted (Evidence 326) the fact, but afterwards (Evidence 1027), stated he found this plan of binding documents into a volume, and then removing them out for convenience sake, was a "very convenient mode." So that Mr. Cooper has stopped a plan for four years which he now states he finds to be very convenient. I suggested that portfolios should be used instead of binding; and a portfolio was prepared as a specimen, which may be seen at the Rolls Chapel.

4738. Do you know anything of the facilities of search at the Rolls Chapel?—I have never had occasion to make any there myself.

4739. Or consult the indexes?—No; but the actual local arrangement at the Rolls Chapel I have had the means of ascertaining to be very inconvenient and detrimental to the records. Sir Robert Inglis and Mr. Hallam have sufficiently described it in their report (Agenda, p. 283), by saying that the records can only be procured "by guess matured into habit," on account of the darkness; and the gallery of the repository is so narrow that it can scarcely be approached in safety.

4740. Have you had occasion to search for records in the office of the Duchy of Cornwall?—I have.

4741. In what manner are they kept?—I cannot speak of the arrangement of the records there, or of the mode in which they are kept, as neither are visible to those making searches. I can only speak of the degree of facility the public has in searching there.

4742. Witnesses before have described the general arrangement; you can describe it as briefly as possible, and state any circumstances that have happened in your own experience?—In order to make searches there the applicant must apply by writing. This is not required, I believe, at any other record office, and the Duchy will take whatever time it pleases to answer that communication. One answer I have received will completely show the mode to be adopted in making searches. Mr. Abbot says, in a letter of the 11th of May 1835, "I have to inform you that, on receiving your wishes as to the particular point you desire to have investigated, and the nature and dates of the public records to be referred to, a search will be made by the proper Duchy officer; after which such records as contain any mention of the particular point your inquiry is directed to, will be produced for your perusal, and you can have what extracts or copies from such records you may desire, by paying the office fees for such search and copies."

4743. Sir *Charles Lemon.*] Were you allowed access to the calendars?—No; refused when I asked permission. Mr. Cooper (Evidence 1842) states, "There are no private calendars or indexes in that office;" which is incorrect. Mr. Abbot says I shall have the records if I describe the "nature" and the "dates;" but as the Duchy will not allow the applicant access to any calendar to ascertain any records they have, or the dates of any, the request must be made at a venture; and if anything demanded is not correctly described, a refusal is

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given. They will tell you nothing; and a search is almost impracticable if previous knowledge were not obtained from other sources. Another case has happened to me which shows how the public business is managed in that repository: I was desired by Mr. Coode, a solicitor in Guildford-street, to apply for the inspection of a survey supposed to exist in that office. I wrote on the 31st of December 1835, and waited a fortnight, when, receiving no reply, I wrote again on the 11th of January. Another fortnight elapsed, and then I received a letter requesting to know upon what authority I had made that application in Mr. Trevannion's name. Mr. Coode, being Mr. Trevannion's solicitor, had desired me to apply in Mr. Trevannion's name, and the Duchy took a very underhand mode of proceeding; they applied to Mr. Trevanion to know if he had authorized Mr. Cole to search. Of course Mr. Trevannion knew nothing at all about me, but only knew his solicitor. Upon Mr. Trevannion saying he was not acquainted with me, and had not given me any specific instructions, a refusal was made to search; a transaction which I can only characterize as a very disgraceful subterfuge to avoid communicating the information. I wish to produce the opinion of Lord Tenterden, who admits of no distinction whatever between the public documents the Duchy may possess, and those considered by the Duchy as private. In Concanen's report of Rowe *v.* Brenton, all documents whatever that were produced by the Duchy from its own office were regarded, and were received by the court as evidence, and as public documents. Lord Tenterden, at p. 152, after stating he was of opinion that a particular enrolment should be received in evidence, adds, "I do not apprehend that any lawyer could entertain the slightest doubt that, considering the very peculiar nature of the Duchy of Cornwall (and I intimated something to the same effect in the course of discussion two days ago), that whether the Duchy is vested in the Crown or the Duke, the Crown has a peculiar interest in it at all times, and whatever is done at any period is to be received in the same manner; and whatever is done during the existence of a duke is to be considered in the same manner as if it was done by the Crown;" and Mr. Justice Bayley also says, "I can make no distinction between a lease by the Crown and a lease by the Duke of Cornwall in this respect;" and also, p. 153, "I am of opinion that the reference to leases and acts in the possession of the Duke of Cornwall, made by the Duke of Cornwall, and enrolled in the Auditor's-office, is evidence of the document just as much as if it had been made by the King himself." "I am entirely of the same opinion," add Justices Littledale and Parke. Lord Tenterden also says, p. 110, "But with regard to the Duchy of Cornwall I am clearly of opinion that the Duchy of Cornwall, when there is no Duke of Cornwall, belongs to the Crown. It is sometimes in the hands of the Crown, and sometimes in the hands of the Duke, and the Crown, therefore, or in other words, the public, has an interest in everything which is done in the Duchy." The opinion of Sir James Scarlett, now Lord Abinger, p. 147, is to the same effect.

4744. Sir *Charles Lemon.*] The effect of that opinion, in your view of it, is to remove altogether the distinction between the private and public documents in the custody of the Duchy?—Undoubtedly; it has been attempted to be shown that the possessions of the Duke of Cornwall stand in the same relation to the public as those of the Duke of Northumberland, or any other private individual; but there is this difference, that the Duke of Cornwall can produce his own records against an opposing party, as evidence of his own rights, whilst, of course, the Duke of Northumberland, or any other private individual, has no such right.

4745. But any document, in your opinion, taken out of the archives of the Duchy of Cornwall, has the authority of a public document?—Yes, undoubtedly; they have enjoyed all the rights attached to that opinion, and I conceive no higher opinions of the fact can be expressed than those of the judges upon this important trial.

4746. And that opinion goes to establish the analogy between the property held under the Duchy, and that held under the Crown?—Yes, it does.

4747. *Chairman.*] Has it ever happened to you to apply to consult records relating to land, or other property of the Crown, for legal matters?—A considerable portion of the documents in the Augmentation-office, and documents in many other offices, relate to property in which the Crown has some interest, and these I have frequently consulted.

4748. When the Crown appears as a party in our courts, in matters relating to its landed possessions, or when any information is wanted by persons claiming

claiming against the Crown, would any objection be made to a search for a document in the record offices?—I believe none whatever; I may instance the case of the Duchy of Lancaster, in which the records are public; and certainly, in my own experience of the Exchequer and Augmentation offices, no inquiry is made, whether the search is for the Crown or for a private individual.

4749. Sir *Charles Lemon.*] Would such documents, relating to the private property of the Crown, be received in evidence as public documents?—Yes, if they are matters of record, there is no doubt of the fact: frequent instances occurred on the trial of Rowe *v.* Brenton.

4750. Then it is your opinion that from the nature of them there can be no document in the archives of the Duchy of Cornwall which should be withheld from public inspection?—Certainly, I am of that opinion.

4751. And co-extensive with the authority given to them as public documents should be the facility of search?—Yes; I think it exceedingly advisable, if any improved jurisdiction should hereafter be exercised over public records generally, that the records of the Duchy of Cornwall should be included in that arrangement.

4752. In the course of your communications with the Duchy, have you ever been able to ascertain what is the distinction that they themselves draw between private and public documents?—I believe that they behave with the greatest partiality; and I have heard repeated complaints made to that effect by persons in the habit of consulting their records; and my own belief is, that they draw the line tight or loose, just as the interests of the Duchy may suggest to them.

4753. But you, in the course of your searches, have never had it explained to you that there does exist a broad line of distinction that they themselves observe?—I do not believe that they know it themselves; I am quite sure there is no record officer of the Duchy who is competent to draw that line whoever has drawn it; you ask for a record, and they give it you or not, just as they please. Mr. Abbot gave evidence before this Committee, in my hearing, a short time ago, and he was then in doubt whether ministers' accounts were public records. Now, if there is one class of records that is of a nature more public than another, it is that of the ministers' accounts, in my opinion; and here is the absurdity. Suppose the Duchy claim that the ministers' accounts in their possession are private documents; other ministers' accounts of the same description, filling up portions of the series, are in the King's Remembrancer's-office, some I have reason to believe are in the Pipe-office, and a great quantity in the Augmentation-office; so that a person may consult some portions of a series, and be refused permission to search other portions, because they are in the possession of the Duchy.

4754. Do these documents refer to a period when the Duchy was in abeyance?—I cannot answer that question quite decidedly; they have for instance, ministers' accounts of the Duchy possessions in the time of Elizabeth in the Duchy-office; and I know there are ministers' accounts also of the time of Elizabeth in the Augmentation-office. The Duchy at that period was in the hands of the Crown.

4755. Are these same ministers' accounts that they claim to be private documents, received in evidence?—Undoubtedly they are; when I say that they claim them to be private documents, I allude to the evidence of Mr. Abbot, when he expressed doubts whether they were public or private; if private documents, the anomaly of searching some portions and not others I have mentioned would exist. I myself have had an opportunity of consulting ministers' accounts at the Duchy, and was therefore surprised to hear Mr. Abbot question their publicity; and I alluded to the case as showing that the Duchy had not fixed rules of proceeding.

4756. Are those other ministers' accounts in the other public offices as accessible to the public as the other documents in those offices?—Yes, undoubtedly; I conceive it would be an act of great indecorum in any officer to ask the object of a search; and if the object be not known, and even if it were, no difficulty of access whatever would arise. The calendars of them are seen where there are calendars; and I do not believe that any officer would refrain from affording every facility for consulting every record in his office.

4757. Do you know of any instance where any ministers' accounts that have been lent to the Duchy for any particular purpose, have been demanded again

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on the part of the office from which they were received?—It happened at the very time the Duchy were aiming to obtain certain records from the Augmentation-office, I found in the Augmenation-office an ancient order from the Barons of the Exchequer, calling upon the Duchy officers to return a number of records that had been lent to the Duchy for their convenience, and these records are of a description similar to many in the Duchy-office, and in the Augmentation-office.

4758. *Chairman.*] There was a large mass of records relating to the Duchy of Cornwall found in the Augmentation-office?—Yes.

4759. When?—Some of them were known in Mr. Caley's time; but I believe by far the greater portion were found and arranged after the accident of the burning of the Houses of Parliament.

4760. Owing to that accident in anyway?—The accident caused a complete re-arrangement in that office, and many records came to light that had been hitherto buried in obscurity.

4761. How had those documents ever got into the Augmentation-office that are not of a class properly belonging to it?—There are a great number of documents, the existence of which in that repository it is difficult to account for; there is a larger quantity of Welch records there than the Welch auditors themselves possess.

4762. The Right Hon. *C. W. Williams Wynn.*] Of about what period?—From the time of Edward III. to Charles II.; indeed, if I were desired to make a search for Welch property, the first office I should search in would be the Augmentation-office; but there is not, to my knowledge, any immediate connection between the Augmentation-office and the principality of Wales. This circumstance shows the very great necessity that has existed for many years, and still does exist, of classifying all the public records, each in its particular series and in one spot. I may also allude, in illustration of that opinion, that there are great numbers of records relating to Wales in the King's Remembrancer's-office; and alluding to the distribution of records of the same class in several repositories, I would state that "Inquisitiones post mortem" are to be found in the Tower, in the Exchequer, in the Rolls chapel, and in the Chapter-house, to my own personal knowledge; "Patent Rolls" in the Tower, the Rolls chapel, and the Chapter-house; "Parliament Rolls" in the Chapter-house, in the Tower, and in the office of the King's Remembrancer of the Exchequer. The "Rotuli Scotiæ" in the Chapter-house and in the Tower; "Parliamentary Surveys of the time of the Commonwealth," in the Augmentation-office, Lambeth Palace, the Rolls chapel, and some I believe in the Tower; "Pipe Rolls" in the Pipe-office, Chapter-house, the Tower, and the Pell-office; "Wardrobe Accounts" in the Tower, the Chapter-house, the Exchequer, and the British Museum; the "Valor Ecclesiasticus" in the Augmentation-office, and the First Fruit's-office, and Chapter-house; "Ministers Accounts," which is a very general species of record, in all the offices I have ever had anything to do with. It happens, however, that for want of the records being properly and locally arranged and classified, that almost every publication of the Commission is defective. A work in four folio volumes, the "Inquisitiones post mortem" was printed, and I believe only the Tower repository was consulted for that class of records, whilst others existed in three other repositories, and I know that some have been since found in the Exchequer, that would supply many blanks existing in that publication. The publications of the commission which are imperfect for want, as I conceive, of this arrangement, are the "Inquisitiones post mortem," the "Parliamentary Writs," the "Fœdera," the "Taxation of Pope Nicholas," the "Nonæ Rolls," the "Valor Ecclesiasticus," the "Testa de Neville," and the "Calendar of the Patent Rolls."

4763. *Chaairmn.*] How can the "Testa de Neville" be imperfect on that account; it is one document?—It was printed from an ancient transcript compiled from original rolls and inquisitions that have since the publication been found in the Exchequer. It has always seemed to me to be exceedingly injudicious to print a manuscript, without referring to the original rolls to ascertain the accuracy of it.

4764. Was it a mere transcript, the "Testa de Neville," or an abridgment?—It was partly a transcript and partly an abridgment; the object of printing it was for the information in it; and it would have been wiser to have printed from the originals instead of a copy.

4765. Is not the "Testa de Neville" the same as the rolls?—Unquestionably not; and I have heard rumours of people who cannot understand when I have expressed

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expressed an opinion upon the comparison between the originals and the transcript of them, being "Testa de Neville;" they conceive I mean that the errors exist between the printed book and the transcript from which it was printed. I mean nothing of the sort; I mean simply that the original matters from which this compilation was made, differs from that compilation, and to a most important extent; the dates of instruments have been left out, and the authority upon which the returns were formed. The "Testa de Neville" is nothing better than a compilation at the fancy of the person who made it.

4766. And made carelessly?—Yes, in many respects; the work was printed from a transcript of the 14th century, and the original records from which the transcript was compiled, existed at the time the transcript was printed by the Commission, and should have been sought for, but they were not used; the originals or at least about 20 rolls I have found, are in the King's Remembrancer's-office. To take an example of the variations, at page 135 in the return of Knight's fees for the county of Wilts, the original writ authorizing the return, and showing the date of the instrument, which is absent in the transcript, exists in the original roll. Now it is of the utmost importance in a return of this nature that the date should be seen; the date is not seen by the transcript as printed; a similar omission of the original writ occurs at p. 17. At p. 38, this error of carelessness in the compilation of the transcript, assuming the printed copy represents the transcript faithfully, may be seen: "Domina Matilda de Muscamp tenet villam in dote et facit inde servicium disnidii militis." In the original, Matilda de Muscamp holds the township of Rosse. What object could a compiler have in omitting the very pith of the information? In another part, reckoning literal alterations and errors of names, in 22 lines there are 122 variations between the transcript, assuming the book to be a faithful copy of the transcript, and the original rolls.

4767. There are those variations between the printed book and the original roll?—Yes, and I conclude between the transcript itself; I had on one occasion need to compare the printed book with the transcript from which it was printed, and with the exception of misreading the names, I found it tolerably accurate, and I assume it is a faithful copy of the transcript.

4768. But misreadings of names are very important errors?—Yes; I think I can produce an instance; here is an error between the printed copy and the transcript "Testa de Neville," the word Nicholai has been misread for Michaelis; I have never caused a careful comparison to be made between the transcript and the volume printed from it; and I would not assume that it is not tolerably accurate, or at least as accurate as many books of the Commission are.

4769. Is not that one of the works that it was proposed to make evidence in a court of justice?—Yes, it is; in the first volume of Mr. Cooper's "Compilation on Public Records."

4770. Do you know the state of the Pipe-office?—I have had occasion to go into it at various times.

4771. Where is it?—It is two stories underground at Somerset-house.

4772. What kind of building is it; is it dry? It is in a building that is alternately damp and alternately dry, and some very curious incrustations have been formed upon the walls and floors by the alternation of damp and dry. Sir Robert Inglis and Mr. Hallam described them in their official report, (Agenda, p. 282), as stalactytes, and probably that is scientifically correct.

4773. Are not the records very much injured by those alternations between damp and heat?—I should conceive so; a very considerable proportion of the records are in disorder; and at least a year's labour would be requisite in merely locally arranging them properly. I happened on one occasion to be in the Pipe-office, and taking up a stray document, I found it related to some property in Cornwall, the manor of Tywarnhale, and I think it would have been very useful had I known of its existence; it was found lying loose upon the table.

4774. Among a heap of other records?—Yes.

4775. If you had gone and searched the office, nothing but chance would have enabled you to light upon it?—I should never think of searching among unarranged records upon the chance of finding anything; I mention it to show the want of arrangement.

4776. Do you know whether there are Crown leases in that office?—Yes, there are.

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4777. Do you know how they are kept?—In a state of great confusion and in no arrangement; I do not believe there is any calendar to them.

4778. Are there any other of the record offices with which you are at all acquainted?—I have a general acquaintance with most of them, but I should not think it proper to give any specific evidence upon them. The Tower is certainly, in my opinion, the best and only well-arranged repository in the metropolis.

4779. Have you any further statement to make relative to the general report?—Not any.

4780. Do you know anything about the school of young transcribers mentioned in the return?—It is a sheer fiction, a mere piece of delusion.

4781. Do you mean to say it does not exist?—I mean to say positively, nothing of the kind exists; it is a mere deception upon the Committee to say that anything of the kind exists; I believe that a design for a long time has been talked of, of making a school of young transcribers; when I first went to Mr. Cooper's chambers, it was proposed I should be the master of that school, but finding that my first pupil was twice my age, and received twice the salary for learning that I was to receive for teaching, I avoided the proposal to instruct Mr. Webster; Mr. Wylde was the second pupil. I know from my own experience, that every gentleman who has had anything to do with editorship, has been obliged to educate scholars or pupils for his own purposes, and in many cases the secretary did avail himself of the labours of those gentlemen, and took away their transcribers after the persons so educating them had been at considerable trouble; that was the case with Dr. Drescher a Pole. Mr. Hardy bestowed some weeks of very patient labour to enable the doctor to read the Close Rolls of John; he had no sooner become tolerably competent, than Mr. Cooper finding he understood German, changed the doctor's employment to reading, writing, and translating his (Mr. Cooper's) foreign correspondence, at his own chambers, works I frequently saw him performing in 1833. Then again there was the case of Mr. Edward Bond, who was no sooner rendered competent to read and transcribe records by Mr. Hardy, than the secretary laid hands also upon him. Mr. Stevenson educated a gentleman; Sir F. Palgrave educated others; I myself educated Mr. Richard Bond. Now the secretary has and has had for more than 18 months, four young gentlemen, or rather gentlemen of various ages (one is not a very young person), at the Museum, copying some modern hand-writing, which any lawyer's clerk can copy; this he calls a school of young transcribers, which is altogether a mere farce; to say that books have been purchased for the use of these young gentlemen, or indeed for the use of any gentlemen in the employ of the board to any considerable extent, is not quite coincident with the facts.

4782. You have been employed upon works under the Commission, which would render it necessary for you to refer to expensive works, some of which might be found among those which Mr. Cooper has returned as in the library of the Commission; have you had any use of those books?—I think Mr. Cooper has purchased about 10*l.* worth of books, or something less, for the express use of the Augmentation-office; I have expended much money myself, for such books as "Du Cange's Glossary," &c. It was utterly impossible to get any knowledge of what books were in the Commission's library, still more impossible to get at them, if you knew what were there. I never borrowed to the best of my recollection but one book of Mr. Cooper, and that was "Madox's History of the Exchequer," and then Mr. Cooper gave me to understand, if I recollect rightly, it was lent from his own private collection.

4783. Have you seen a return of the books laid before Parliament?—Yes.

4784. Are there not among those books many which in the course of your labours for the Commission you would have been glad to consult, if you had known them to have been at hand?—When reading the return, I remarked a considerable number that I should have consulted at various times, and to consult which, I went to the British Museum.

4785. Had you any means of knowing what books existed in the collection?—I believe till the return was ordered, no catalogue existed.

4786. Are you aware whether "D'Israeli's Curiosities of Literature" was one of the books purchased for the use of the Commission?—Mr. Protheroe mentioned that, and with other books, such as "Dibden's Literary Tour," "Wharton's History of English Poetry," "Dunlop's History of Fiction," "Ellis's Metrical Romances,"

Romances," and "Nichol's Literary Anecdotes," as having been purchased out of the public money for the use of the Commission.

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4787. When did Mr. Protheroe tell you those books were purchased?—In the summer of 1833 the subject was first mentioned, and subsequently on many occasions.

4788. He told you they were purchased for the library of the Commission?—He so informed me.

4789. Where is the library kept?—It is impossible to say.

4790. Do you mean to say you do not know?—I do not know.

4791. Have you no notion?—I may have a great many notions as to the locality of the library at different periods, but I do not know where it is actually kept; for the few weeks I was at Mr. Cooper's chambers, I saw a considerable number of books brought from The Speaker's gallery into Mr. Cooper's chambers, but I have no further knowledge upon that subject.

4792. Do you know whether any of those books have been sold?—I have heard that they have been sold or exchanged; but of course these are transactions that I could not know directly of my own personal knowledge; I believe that frequent exchanges of books have been made.

Mr. *Thomas Ellis Adlington*, called in; and Examined.

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4793. *Chairman.*] ARE you keeper of the Augmentation-office?—For the time being.

4794. By whom were you appointed?—The King's Remembrancer.

4795. Have you had much to do with records?—Not much.

4796. Have you ever acted as record agent?—Never.

4797. Have you got some records that were ordered by this Committee?—I have.

4798. Will you produce them?—[*The Witness produced some ministers' accounts.*]

4799. *Chairman* to Mr. *Cole.*] Which are the records of which Mr. Cooper in his evidence stated that the whole value had been spoiled by your separating them in the arrangement?—I now produce, as an instance, a record which I had found it necessary for the preservation of the record to divide it into sections or parts, the "Minister's Account for St. Mary's Abbey in York, of the 32d Henry the Eighth."

4800. How do you know that that is one of the records to which Mr. Cooper alluded?—Mr. Cooper alluded to my having divided the ministers' accounts, and I wish to show to the Committee, that the divisions I have made tended to the security of the record rather than to the detriment of them.

4801. *Chairman* to Mr. *Adlington.*] Do you know anything of this separation?—No more than that they are separated.

4802. By whom was it discovered?—By Mr. Gay. They are separations that have not been sought for, but were discovered in the usual course of business.

4803. Do you know whether this instance that Mr. Cole has pointed out is one that was so discovered?—I do not know.—(Mr. *Cole.*) I have only separated about six ministers' accounts in all. I completely admit any charge that Mr. Cooper has brought respecting the fact of separation. I wish to describe every sort of separation I have made, taking this as one specimen.

4804. (To Mr. *Adlington.*) Do you know any instance of this yourself?—I do not know that there are any here; there are some in the office.—(Mr. *Cole.*) The actual instance Mr. Cooper produced I have looked at since in the Augmentation-office. I do not know that I separated the record instanced by Mr. Cooper, as there is no title written by me on the ticket. I am only responsible for those I did separate. That which Mr. Cooper produced related to Cambridge and Huntingdon, and it is possible it may have been done, as others have been, under my orders.

4805-6. The Right Hon. *C. W. Williams Wynn* to Mr. *Adlington.*] Have any been separated since Mr. Cole left the office?—Not any.

4807. *Chairman.*] Not to your knowledge?—No one has any power to touch a record there.—(Mr. *Cole.*) The object I had in separating ministers' accounts was that the rolls were so excessively large, that by constant reference to them, the first and last membranes of the roll became worn away. I made

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divisions, where I thought divisions could be easily made without interfering with the text of the record. The Committee will see by this membrane [*exhibiting one*] which has now been repaired, that in a few years it would have been worn entirely away, and the record much injured thereby. I take the next part that followed, the account for Melsa or Meaux Abbey, and the Committee will see there is a natural commencement and termination of it; there is the binding up or stitching together of this section coeval with the formation of record.

4808. In what state did you find them?—I found an enormously thick record divided into parts or sections, the parts being united into one roll.

4809. All you did was to separate one part from another?—Yes.

4810. You found those two fastened together like the sheets in a book?—Like the quires in a book, each quire having no positive connexion with the other; and I separated the two.

4811. Sir *Charles Lemon.*] After being so separated, were they kept in the same box?—Yes; and with a distinct title, indicative of the date and nature.

4812. Is there any memorandum made of their separation?—I am not sure that that occurred in this case; but why it did not I will explain. In the next subsequent rolls of the same class for the 33 Henry VIII., each portion was originally kept separately, instead of being all united into one roll; so that, in fact, I only adopted the same system that had been originally adopted for all the subsequent rolls for that class. Here is the corresponding portion [*producing another roll*] for the following year, for St. Mary's, and this originally was a small, separate, distinct roll, and not connected with any others [*several other rolls were produced*]. Here is another instance of a roll for Warwick; all these three parts [*producing them*] originally composed one roll; the portions have no reference to each other with the exception of belonging to the same county. The Committee will see that a roll composed of those three portions was as inconvenient in point of size and for reference as possible; and, being the earliest roll of the series, was that most consulted in the office, and was liable to be torn and worn away; accordingly I divided it into three portions.

4813. *Chairman.*] In what way is it supposed, as far as you can make out from Mr. Cooper's evidence, that the legal value of this roll has been impaired?—I do not believe that there is any *bonâ fide* supposition upon the matter, neither do I think it can be said that the legal value has really been impaired. The Committee will see in this case also that the first membrane [*showing that of Warwick*] would be worn away in the course of a year or two; and as the person consulting the first part relating to one monastery did not necessarily wish to see the second, relating to another monastery, there was no imperative necessity to keep them together.

4814. Has each its title and heading?—In the case of York, it will be seen that it has; in some cases they have distinct headings; in some cases the second part, as regards the date only, has a reference to the first part; but in the case of York, the heading is perfectly distinct, and has no connexion with the other part.

4815. (To Mr. *Adlington.*) Have you sufficient knowledge of the nature of records, and their use in a court of justice, to be able to inform the Committee whether the value of those particular records in a court of justice has suffered from the separation effected by Mr. Cole?—I should say it has.

4816. How?—Those records are all signed by the auditor; and if a record is separated into parts, and the intermediate part was required, there is no heading to show to what record it belongs, and in the next place there is no authority; there should be the whole record before the court.

4817. The evil is, that it wants a signature, and it wants a heading?—Yes.

4818. How does the want of a heading impair the value of the record in a court of law; I can understand why the wanting a signature would?—It does not show what account it is, and frequently it does not show to what county it belongs.—(Mr. *Cole.*) In the cases of York there are distinct headings.—(Mr. *Adlington.*) That may be in that county.—(Mr. *Cole.*) And in the case of Warwick too.—(Mr. *Adlington.*) You must take it as a general rule.—(Mr. *Cole.*) My guide was to take those portions that had distinct headings, and even with reference to the signature that Mr. Adlington speaks of, the second portion of Warwick actually has two signatures; the second portion too has a distinct heading, showing the date, and also having the signature.—(Mr. *Adlington.*)

Adlington.) You may find isolated cases both ways, but as a general rule it is not so.

4819. The Right Hon. *C. W. Williams Wynn.*] There is no signature to this division for York?—(Mr. *Cole.*) I do not see any; but the second part of York has a complete title. In the second part of the Warwick roll, here is a perfect title and perfect signatures, so that part is as complete as possible by itself.

4820. Would not this Yorkshire roll be deprived of its authenticity from the signature being separated from the roll?—I conceive not, because it is never usual, in my experience, to allude at all to the signatures; an applicant desiring an extract or copy just takes the title of the record and such portion of the document as he desires.

4821. Might it not be disputed as evidence upon the ground of the record being incomplete, and not authenticated by the signature of the minister; supposing this roll was produced in a court of justice, would not that be an objection?—(Mr. *Adlington.*) That objection would be taken by many persons; what authority it would receive from the court I cannot tell.

4822. *Chairman.*] If the document came out of a record office the court would not inquire into the signature if it was a record?—It is only a portion of a record.

4823. You think the court would object to it as an imperfect record?—Yes. (Mr. *Cole.*) I would say, in illustration of this, that the signature to a class of records of this nature is not inquired into. Some of these rolls have signatures and others not; there are many classes of enrolments; the Patent Rolls, the Charter Rolls, and the Gascoigne Rolls, &c., &c., that have nothing like signatures.—(Mr. *Adlington.*) But here is a signature here.—(Mr. *Cole.*) I will not say that the signature is not important in some respects, but the signature is never given in evidence, or asked for when the roll is produced.

4824. *Chairman* to Mr. *Hardy.*] Having seen the rolls that have been separated in this way, is it your opinion that their validity would be impaired in the way Mr. Adlington has stated by the separation?—My opinion is that they would not be invalidated by such separation; for I cannot understand how the separation of a number of distinct and unconnected accounts, each having a contemporary title or heading, and otherwise perfect in itself, could in any way affect the validity of either of such accounts, nor can I conceive upon what ground any court of law could object to receive in evidence one of such accounts, merely because of its not being signed by the auditor; the signature of that officer is not essential to the authenticity of the record, and adds nothing to its value. These accounts are only admitted in the courts as evidence that the accountant charges himself with the receipt of certain monies. They are equally admitted whether the signature of the auditor appear at the foot or not, and in by far the greater number of cases there is no signature at all. If I were to order an office copy of any account, I should not direct the auditor's signature to another account to be copied, because it was on the last leaf of an account on the same file. The signature of the auditor applies only to the account which he signs, and not to the other accounts on the same file.

4825. But supposing the other party knew there was something there the adversary might make use of, but that there was this objection to the record, would he not take advantage of it?—I do not think that the court would listen to such an objection.

4826. I do not mean to say that it is a technical objection, but would not the court say it is an imperfect record; we cannot give any effect to it; we cannot say what followed?—The greater portion of ministers' accounts are without any signature; those that do occur are, as I have just observed, the auditors, and not the ministers or receivers; had they been signed by those officers, I apprehend that the instrument would have acquired force thereby. The signature of the auditor is merely his acknowledgement of having examined the receiver's account. It was of no importance to the record; it would be a perfect record without it; to the receiver, however, it was of importance.

4827. It is perfectly clear that the signature does not add anything to the validity of the record; the validity of the record is derived from the custody by which it is kept, and the authority by which it is made, and not the signature

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nature to it; the authority being inferred from the place where it is kept; but if it appeared to the court that the roll on the face of it was imperfect, as it might be argued from the want of signature, would not that excite suspicion in the mind of the court?—I should say not.—(Mr. *Cole.*) These signatures neither add to nor detract from the authority of the document. Here is a portion of York without a signature, and a portion of Warwickshire with signatures, and therefore the practice was not universal of attaching signatures to different portions of the records. If it had been a practice universal, the signatures would have appeared at the end of the account of the Monastery of St. Mary at York; which they do not, but they do appear at the end of the account of Henwood Priory, in Warwickshire; and here are two precisely similar cases, in which the signatures appear in one case and not in the other. The Committee will see, if these records had been uncoiled a few more times than they need have been, the first membrane would have been entirely lost. I should have been happy to have appealed to the board for its opinion, but I had no opportunity of doing so.

4828. (To Mr. *Adlington.*) Does this appear to you to be a proof of some essential defect in the chronological or topographical arrangement, or merely an error in judgment of Mr. Cole's, a mere oversight, from his not having seen that the signatures were to the different parts?—It is an error of judgment, that is all.

4829. Does it appear to you to show any vice in the topographical or chronological arrangement, or that it might be a mere oversight; it does not follow, with his error or oversight fresh in his recollection, if he were to go on with this arrangement, that he need fall into the same error?—No, certainly not.

4830. Mr. *Hawes.*] Assuming such a separation to be desirable for the end in view, might it not be accomplished by having separation effected under notarial signature, or the signature of some competent authority at the time, so that you might have all the benefits of separation without the loss of legal validity?—(Mr. *Adlington.*) I do not know what to say to that.—(Mr. *Cole.*) I would merely add, I think I may have been incautious in not getting the sanction of the board, but I knew so well the difficulty of ever getting at the presence of the board, that it never occurred to me in this case, as well as many others, to apply to the board.

4831. *Chairman.*] Mr. Cooper has stated, in his return to Parliament, that this arrangement was carrying on under his superintendence; did he know of it at the time?—I cannot undertake to give either an affirmative or negative reply. Mr. Cooper must interpret his own words; for myself, I do not consider he had anything to do with the matter.

4832. (To Mr. *Adlington.*) Can you give the Committee any information as to the state of arrangement of the records in the Augmentation-office?—(Mr. *Adlington.*) No, I cannot; I am merely there for two purposes; to make searches when required, and to furnish copies. I have no authority to meddle with the records in any way whatever, and I have not troubled myself at all with them.

4833. The Right Hon. *C. W. Williams Wynn.*] A keeper ought to have some more authority; have you instructions?—I have instructions to do two things, make searches and copies, not to meddle with anything.—(Mr. *Cole.*) I beg to produce now to the Committee instances of Mr. Caley's artificial arrangement of which I complained; here are ministers' accounts, relating to the manor of Sheriff Hutton, in Yorkshire; these, with other similar records, form a large series. Mr. Caley, instead of uniting them in one spot, and placing them consecutively in chronological order one year after the other, adopted the artificial arrangement I speak of by numbers merely; here is one, Sheriff Hutton Roll, numbered 8,093, and another 1,854, and was probably deposited in a different room in the office away from the first, another 11,719, the fourth 3,813. Now as they were arranged consecutively as to these numbers, without any relation to the nature or class of the documents, it will be seen that a person having to search for this class of documents, would have to go to as many different places in the office as there were individuals of the class, before he could obtain the perfect series through which to carry his search.

4834. Is there a full calendar to these numbers?—A calendar was made that was claimed as Mr. Caley's private property, and disposed of at his decease;

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so that at his decease it was quite impossible, among 18,000 records, to make any search whatever; there was not the slightest reference in the world; and a person wanting to know anything about this Sheriff Hutton Manor, and being anxious to make a complete search about it, would have had to pass two or three months in looking through 18,000 records.

4835. *Chairman.*] Instead of the arrangement being any guide to the information contained in the documents, all the information to be collected from these documents depended entirely upon the arrangements made with regard to the index, which index was the private property of Mr. Caley; and at his death passed out of the hands of the office in which the documents to which it was an index existed?—Yes, such is the case; the index was not private property, but it was sold as private property.

4836. The Right Hon. *C. W. Williams Wynn.*] Is there any reference to chronological arrangement in these numbers?—Not the least; my first step after Mr. Caley's decease was to sort these 18,000 records, each into its own class; and those I was unable to distribute into particular classes I sorted topographically, according to the counties, and subdivided them chronologically.

4837. Were they calendared at the same time?—No.

4838. You did not make a calendar?—I was proceeding with the calendar when my labours were interrupted. I wish to produce before the Committee a specimen of Mr. Caley's binding of the records [*producing a volume*]; it is the receiver's account of the suppressed lands in Stafford. The record now instanced, like numerous others, was composed of several leaves, fastened at the head of each leaf. Mr. Caley, in binding them, fastened them at the sides, and consequently turned every other page upside down [*exhibiting the page*], and it would certainly have been as easy to have fastened them at the head, as the volume is fastened at the head I now produce, and which was bound under my directions [*exhibiting it*], as turning every other page upside down in this case; one leaf is right, and on turning over you have to reverse the book. I beg here to instance a volume, a very large volume [*producing it*], entitled "Cartæ Miscellaneæ," one of a series of 24 volumes, which consists of charters and other small-sized documents collected by Mr. Caley, or rather by Mr. Gay, from all parts of the office. The plan that Mr. Caley adopted in binding this (besides adopting this very inconvenient size for the volume), was merely to give directions to the common workman to take any documents without reference to its size, its nature or date, and bind them up just as they came to his hand. To take any one page in illustration, here is a document; a charter apparently of the time of Henry the 3d; then one follows, in the same page, probably of a somewhat earlier period; the next one in the same page is a charter of Edward the 2d; and the successive one, in the same page, is a charter of Henry the 5th. To take another page, here is one, probably, of the 12th century, and here is another without date in Edward the 3d's time, another of the 27th of Henry the 4th, another of Elizabeth, and then one of a totally different nature about the time of Charles the 2d: consequently, any person who wished to collect a chronological account of these charters would have to look through 24 volumes of the most inconvenient size. It seems to me, with the slightest degree of care and attention, it would have been quite easy to have sorted these documents chronologically, or according to their nature, or topographically. Indeed any other arrangement would have been better, and almost any other size would have been better; but the very worst possible arrangement has been adopted in every respect.

4839. *Chairman.*] Under this arrangement what clue was there to these charters?—None whatever but by the index; and here, again, the index was made upon the very worst principle; it did not refer to the whole 24 volumes, but there was a small distinct index for each volume, so that a person consulting the index, which was one only of the names, was obliged to look into 24 places instead of one; that index is in the office, and was not sold. In binding these volumes I would add, that a most unnecessary and unwarrantable degree of expense has been incurred; it would have been easier to bind them in a much more convenient size, without the expenditure in parchment that has been required for that large size. As I have presumed to lay down some sort of principle in binding volumes, and arranging records, I would take

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the liberty of instancing one volume of a numerous series that has been bound since I have been in the office, it consists of a class of documents entitled Particulars for Leases or Grants: they were found scattered throughout the office in all places, without any arrangement whatever. I collected all together, or rather directed Mr. Gay to collect them all in one spot, for which labour of Mr. Gay's Mr. Cooper gives the credit of the arrangement to Mr. Gay. I then directed they should all be sorted into counties, and each document arranged alphabetically in its appropriate county, so that a person desirous of knowing anything relating to any particular place can go to the volume and find immediately everything relating thereto. The places in the county are arranged alphabetically; as, for instance, in Bedfordshire—Ampthill, Bedford, Clophill, Elstow, &c.; Berkshire—Ankerwick, Basildon, &c. This arrangement being perfected, I examined its correctness, and ordered the binding.

4840. Have you any further explanation to give the Committee upon these books?—Yes, a very short one (*producing a portfolio*); there is an extremely numerous class of records in the Augmentation-office called Court or Manor Rolls; they were under three sets of circumstances when I entered the office. A portion had been arranged artificially, by letters and numbers, about 100 years ago; another portion was distributed, as I have shown in the case of Sheriff Hutton, by Mr. Caley, throughout 18,000 records; and a third portion remained undiscovered.

4841. Sir *Charles Lemon.*] What do you mean by undiscovered?—They were lying unknown and without arrangement; my object was to centralize the whole of them, and unite all those that formed any sort of series; and this has been done by arranging all the Court Rolls together, distributed in those three portions; and they are in progress of arrangement alphabetically, or rather the arrangement was commenced alphabetically and chronologically. The whole series might be easily consulted by the arrangements alone without any sort of calendar or index: the calendar or index would be merely more convenient as an abstract for consultation than the records themselves, in order to ascertain their existence. I may also observe here, that I made a press catalogue, or intended to make a press catalogue, which showed the documents belonging to each portfolio, and the number of membranes. I put a list both in the inside and on the outside of each particular portfolio. Lists of contents were fastened into the box in which the portfolio was intended to be deposited, and a copy of the whole then placed in the catalogue; and it would have been impossible for any document afterwards to have strayed without its loss being discovered. Mr. Cooper has said that I cut off the tickets of some documents that Mr. Caley had arranged. The committee will see in a case of this sort (*producing some Court Rolls*), that the ticket was useless as regarded this arrangement, and, moreover, in many cases was exceedingly inconvenient. If this document had been a few inches broader, it would have been too broad for the broadest portfolio; the ticket extending an unnecessary length, and being of no use, I removed it.

4842. The ticket had been put on by Mr. Caley?—Yes, when he kept them in the form of rolls amongst the 18,000 documents. The Committee will see generally from this arrangement of Mr. Caley's, that a very considerable outlay of public money had been lost in the arrangement of the records in the Augmentation-office. It was impossible to exercise any proper degree of check on the arrangement, unless somebody make it an express business to see that it was conducted in the best manner.

4843. (To Mr. *Adlington*). Is there any other subject you can give the Committee any information upon with regard to the records?—(Mr. *Adlington*). Not that I am aware of.—(Mr. *Cole*)—A right hon. Member, Mr. Wynn, calls my attention to an erroneous abstract attached to the charters in the volume I produced, and I may say that a sort of pretended abstract was made of the nature of the documents, and attached to each document in the large volume of charters to which I have before alluded; but not the slightest reliance is to be placed upon the accuracy of these abstracts in any respect whatever. I could produce numerous illustrations, if it were desirable, to the Committee, but it would necessarily occupy too much time. I would beg leave to add, from these explanations of the arrangement in the Augmentation-office, I think it must be manifest that no accurate judgment could be exercised by those entrusted with the administration of the business of the Record Commission, without a very considerable

siderable practical experience of all its details; the advantages of one mode of arrangement of the records over another, cannot be estimated unless the nature of the records is practically known and understood, and the records themselves examined. For some records a topographical arrangement is most suitable, for others a chronological, for others a union of both, and for a fourth an arrangement according to species or classes, and in a fifth an artificial mode is only that which can be adopted. No proper judgment could therefore be made without a knowledge of the classes of records; and I may add also that in the formation of catalogues, calendars and indexes, different modes must be applied to different records, and the preference of one mode over another cannot be estimated by any one ignorant of the nature of the records themselves. So also in the case of printing: if propositions are made for printing the Pipe Rolls, the Close Rolls, the Norman Rolls, the Fines, the Rotuli Curiæ Regis, the Patent Rolls or Parliamentary Writs, and a choice is to be made, I am compelled to say that those members of the commission who never saw either of those classes of documents, must necessarily have been not competent to form a correct judgment or choice, more particularly when a deliberation of half an hour was only given to the consideration of the question, and that entirely upon the information of an officer who is, or may be, comparatively ignorant, or who obtains his knowledge only second-hand.

4844. Mr. *Hawes.*] Is that all you have to state under the general head of the arrangement of these records?—Yes, that is all.

4845. What was the nature of your engagement with Mr. Cooper?—I must answer that question somewhat lengthily; in order to show what my engagement was, or give any sort of notion what it was, I must commence from my first acquaintance with Mr. Cooper. I was introduced to Mr. Cooper at his own request: the first official communication I received, which was in writing, was to know whether I would become the editor of the Parliamentary Writs in case Sir Francis Palgrave should relinquish it; Mr. Cooper proposed to give me 500 *l.* a year, and an allowance of 200 *l.* a year for clerks; this proposition was never carried into effect, and after I had quitted Sir Francis Palgrave's employment, I assisted Mr. Hardy in the transcription of the Close Rolls at the Tower.

4846. Will you state in what shape this offer was made to you?—By verbal communication, by writing, and through a mutual friend.

4847. Such written communication as did take place, did it appear upon the face of it, that the secretary was authorized by the commissioners to communicate with you and engage you?—He signed himself "Sec. Com. Pub. Rec." which was the best authority he could exhibit.

4848. That was the official abbreviation of his office?—Yes.

4849. In the written communication was the pecuniary arrangement included?—No, it was not.

4850. Was it verbal?—The communication respecting payment was verbal, but I have a pamphlet to which Mr. Cooper's name was attached, in which he says, upon the strength of my accepting the engagement "it could be shown that the Parliamentary Writs might be edited, including every description of labour, with equal if not greater expedition and accuracy, for 500 *l.* per annum, with an allowance of 200 *l.* a year for two clerks;" this is at page 68 of that pamphlet, of which Mr. Cooper claimed to be the author; and Mr. Hardy, who was the mutual friend conducting the business between us, stated also in a pamphlet "that he had consulted with a gentleman perfectly competent to the task, and who concurs with me entirely as to the practicability of the plan, and who will be quite ready to undertake the work and devote his whole time and talents to it, should the present editor decline editing it." Mr. Hardy alluded in that passage to a communication from Mr. Cooper, made by him to me; there too, is the actual proposition for the editorship made by Mr. Cooper in his own writing: he says, "By having the plan laid down, would you feel yourself competent to undertake the editing of the Parliamentary Writs, and if so, what remuneration would you require? Could you furnish the commissioners with an estimate and a plan?"

4851. What became of that arrangement?—It came to nothing.

4852. But you entered into some other engagement with the Record Commissioners, through Mr. Cooper?—Yes, subsequently; after this proposal from Mr. Cooper, I was engaged with Mr. Hardy at the Tower, in transcribing the

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Close Rolls, and upon this work, according to the lowest rate of payment paid to all other persons in the employment of the board for transcription, I earned an emolument averaging beyond 300 *l.* a year. Mr. Cooper, about January 1833, having got access to the Exchequer Records, desired to have some person who could perform the work of arranging and cataloguing those records, and assist in doing what he termed writing reports for the Commission; he applied to Mr. Hardy to know if I were willing to undertake the work; of course I had no objection; but when Mr. Cooper mentioned the terms, they were such that I was unwilling to accept them; at that very time I was earning, on the most inferior labour—transcription, an income of 300 *l.* a year. The secretary, Mr. Cooper, proposed that I should take the work above described at his chambers, for 150 *l.* a year salary, and that I might gain at the least 150 *l.* a year more in writing reports, and in performing any other similar work. This vague proposal was exceedingly unsatisfactory to me, and I quite declined it; but Mr. Cooper said he thought he must "befriend me in spite of myself," and what he did was, to tell Mr. Hardy to suspend the transcription of the Close Rolls, and that I should have no other employment in the Commission unless I accepted that he offered me; my circumstances did not enable me to leave the Commission then, and I was necessitated to accept his proposal. I waited three or four weeks before the subject was renewed; I then spoke to Mr. Cooper, who was exceedingly indignant at my talking to him about the necessity of a written engagement, and he did next to telling me to go out of the room.

4853. No written communication was made to you upon the subject?—No official written communications; privately written communications were made to me.

4854. None signed by him as secretary to the board?—No; I was extremely dissatisfied, and I found, besides getting no written engagement, that Mr. Cooper did not make up my salary to 300*l.* a year, although I continued writing reports and furnishing matter for the Agenda. As Mr. Cooper did not adhere to his engagements, I addressed such a letter (dated 28th June 1833) to him that I thought it would be quite impossible for him to avoid giving me the information I required; I said, "It is of importance to me, both present and future, to ascertain my exact position and prospects under the Record Commission, and I am sure that my requesting explicit information upon the following subjects, will not be taxing your kindness too heavily. I assume that I am an agent of some description engaged with public records; whether I am called a clerk or sub-commissioner, or any other name, is perfectly indifferent to me; but it is very desirable that I should know whether, as such an agent, I am employed directly by the board, or whether I am acting under your own individual authority and responsibility, and as a consequence whether I am dischargeable only by an order of the board, or whether by yourself at your pleasure; further, whether on the supposition that I am or should be disposed to quit my present occupation, what length of notice is requisite; and again, whether such notice is to be given officially to the board, or merely personally to yourself; and also what notice I am to expect in the event of my services being no longer needed. Thus much in respect of my position I feel myself fully justified to request information upon."

4855. Was any answer returned to that?—Yes.

4856. A verbal answer?—No, a written answer, in which he did not give me a tittle of the information I desired; he says, "You were lately a clerk of Sir Francis Palgrave's, at a salary, as well as I recollect, of 125*l.* a year; you now fill a similar situation under the secretary, but your salary has been raised to 150*l.* per annum." (I must observe, Mr. Cooper here suppressed the fact that I had been employed for nearly a whole year at a remuneration of 300 *l.* a year at least, and had quitted Sir Francis Palgrave because he said he could only pay me 120*l.* a year.) "What is the precise authority that the secretary may possess over you, and the other clerks in a similar situation, I will not pretend to determine, having never given the subject a thought, nor do I apprehend circumstances are likely to arise that will render a decision of this question necessary; and if it be of any importance to you, permit me to observe, you should have mentioned it at the time when I engaged you."

4857. At the time you were engaged, did anything pass upon the subject?—Nothing beyond what I have stated.

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4858. Had you reason to believe that you were engaged by the Commissioners through Mr. Cooper their secretary?—Most undoubtedly; and from another circumstance, I fully believed I was wholly dependent upon the board, and had no dependence whatever upon Mr. Cooper.

4859. Being engaged by the secretary to the commission, had you any suspicion of its being an engagement purely personal as a clerk of Mr. Cooper?—Certainly not; and I would not have taken work under Mr. Cooper. On Mr. Cooper informing me I was clerk under the secretary, and not telling me whether I could be dismissed by him or the board, I addressed another letter to him, in which I showed briefly he had offered me the year before a situation of 500*l.* a year, that I had been gaining 300*l.* a year, that he had reduced me to 150*l.*, and that though I was doing superior work to what I had done before, he was paying me much less. In answer to my letter, he said his ideas of the nature of my engagement, and the amount of my remuneration, differed so widely from mine, that he wished me to transmit any representation I pleased to the board.

4860. Did you transmit any representation to the board, and did you receive any answer?—I transmitted a letter to the board dated 8th July, which of course went through the hands of the secretary, and in it I showed I was performing precisely the same labour that Mr. Caley had performed, and for which Mr. Caley received 500*l.* a year.

4861. What answer did you receive from the board?—The answer I received from the board was dated 5th August 1833: "Your application was taken into consideration on Saturday, when the board declined to augment your salary for the present."

4862. Was not that admitting an engagement as between you and the board?—Most undoubtedly it was; and afterwards Mr. Cooper said to me, which I shall hereafter explain: "I am very sorry you wrote to the board, because you have taken yourself out of my hands."

4863. What passed with reference to your engagement with Mr. Cooper, subsequent to that communication from the board?—I determined then that I would seek for some other employment, and had fully resolved upon leaving the Commission. The Committee will remark this answer is dated 5th of August 1833; on the 16th of August, at an interval of only 10 days, Mr. Cooper did that which he had never done before in his life, he paid me a visit, and left his card, with a message that he desired to see me; an hour had scarcely elapsed after his visit, before I received a note to the following effect, dated 16th August 1833: "I am somewhat in arrear with my correspondence, and amongst my unanswered letters appear to be two or three of yours; as the Court of Chancery is not sitting, if you have anything to communicate you had better call here." I waited then upon Mr. Cooper immediately, and to my very great surprise, he told me he thought it was for the good of the public that I should make at least 300*l.* a year; that although the board had determined I should make only 150*l.*, he was satisfied that the interest of the public required I should make at least 300*l.* a year.

4864. How did he propose to make up the difference between the official salary and the salary he thought you ought to receive?—He proposed doing it, authorizing me to edit certain records of the Exchequer.

4865. But to be paid for that labour by the commission?—Yes, as he said in the Parliamentary Return he made within a short period after, that I had extra employment, for which I was to be remunerated "according to the nature of the work." I was to be paid by piece-work; so many printed sheets or transcripts I produced, so much money was I to receive for the production.

4866. Did that engagement take place, and did you continue in the service of the Commission?—Yes, that engagement was ratified, but it subsequently was dissolved; not by my dismissal from the Commission, but because it was Mr. Cooper's pleasure it should be dissolved.

4867. How long did that engagement continue?—That engagement continued from August 1833 until August 1835.

4868. What led to your wishing to leave the service of the Commission?—The question refers to August 1833, I presume, and I have already alluded to the principle upon which I was promised remuneration for extra work, according to the nature of the work. When I sent in my account in 1835, I made a charge for my extra work, "according to the nature of the work" done.

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4869. And for which you had work to show?—Yes, of course; the performance of the work had never been disputed; at least I never heard it questioned. In 1834, according to this agreement, I had earned 150 *l.* salary, and 220 *l.* for extra work, making my whole emoluments amount to 370 *l.* for the year 1834.

4870. Commencing in January 1834?—Yes. In 1835 I sent in my account, and having performed an infinitely greater quantity of extra work, I charged a somewhat corresponding price.

4871. Was the account settled in 1834?—Yes, and the vouchers passed the audit of the commission.

4872. And not objected to?—Wholly unobjected to.

4873. State what occurred when you sent in the account for the year's work of 1835.—I sent in the following account in addition to my annual salary of 150 *l.*

Record Commission.

To *Henry Cole*. August 1835.

Arranging the whole of the records of the Augmentation-office, which were thrown into confusion by the removal of them at the burning of the Houses of Lords and Commons. This labour occupied not less than 32 weeks uninterruptedly. For the first month after the fire, I was incessantly attending the office during the hours of daylight, Sundays not excepted, in superintending the preservation of those records which had become wetted. I calculate that, in the extra time bestowed upon this work, I might have edited through the press five sheets per week; say four, at 2 *l.* 2 *s.* per sheet	268	16	–
Drawing up reports on the records of the King's Remembrancer's-office, Exchequer, and on the Augmentation-office, which extended to 250 foolscap MS. pages, probably occupying not less than 15 folio sheets (*No charge claimed at the time*).			
Analysing the contents of volumes, bound under Mr. Caley's directions, for the purpose of rendering the same consultable; a labour of three months, performed in the evening	30	–	–
Editing eight sheets of catalogue of King's Remembrancer's records, at 3 *l.* per sheet	24	–	–
Editing, compiling, and preparing for press two sheets of Inventory of Augmentation Records, at 4 *l.* per sheet	8	–	–
On account of transcription of "Nona" Rolls	20	–	–

4874. What occurred upon the presentation of that account, between you and Mr. Cooper?—I sent it on August 19th.

4875. Why did you send in the account in August, before the year was closed?—Because it was customary for all persons in the employ of the board, after the receipt of the Parliamentary grant, to send in their accounts for the current year. I had received 100 *l.* salary for a portion of the year, and claimed the above for extra work that I had performed up to that period.

4876. Sir *Charles Lemon.*] If that were the general rule, did you not deviate from it in the previous year, in sending it in at the end of the year?—No, it merely happened at the time I had concluded a particular amount of extra work, the editorship of a volume of Records; and I should not have transmitted any account for extra work at that period, unless the volume had been completed.

4877. The account you sent in relates to the period from January 1835 to August 1835?—Yes, as regards salary; part of the extra work commenced in October 1834.

4878. And any work done between August and December 1835 is not included in that account?—No.

4879. Relate what passed after you sent in that account.—After I had sent in that account, I received in about an hour a letter from the clerk of the secretary, dated August the 19th, 1835. "I return you the account, which I have shown to Mr. Cooper, who was very angry with it. He says the amount claimed by you for work during extra hours, is more than double what he intimated you could receive, and that it would make up your emoluments higher than any other in the employ of the board, except Sir F. Palgrave, which, he says, is quite out of the question." I immediately wrote to Mr. Cooper, in which I expressed a regret I had forwarded anything to him which had made him "very angry," and I went on to say, "the subject of my remuneration has been one which I have had considerable delicacy in mooting,

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and I have had as great a dislike in even alluding to the subject in conversation, as you apparently had to listen to it. I shall be happy to have any conversation with you, and to be corrected in any of my errors, if you will allow me to speak openly on the subject;" and intimated, if I were wrong I should be happy to be put right.

4880. Mr. *Hawes.*] You maintained the integrity and good faith of your account?—Yes.

4881. What was the consequence of that letter?—Mr. Cooper wrote to me, telling me he considered all engagements between us at an end.

4882. Give the exact words of it?—"It is impossible you could ever have supposed that your emoluments under the board would equal 500 *l.* a year; your salary, whilst employed by Sir Francis Palgrave, was, if I recollect right, 125 *l.*; this I raised to 150 *l.*, and intimated that if you would give up your evenings you might gain 150 *l.* more, so long as work would be found. Last year your total remuneration was about 300 *l.*, and I never dreamt of its exceeding that sum in the present year. My only difficulty was in what way the charge for work done out of office hours should be made out. Last year it consisted of a payment per sheet for editing the Appendix to the Proceedings of the Board; but this year you have had no similar occupation. The claim you have made I consider as putting an end to any arrangement that may have been come to as to your spare time, which you will consider your own until the matter can be brought before the board. I wish you distinctly to understand that from to-day I hold you entitled to your salary of 150 *l.* only, and that the question as to the sum you are to receive for extraordinary services for the past, or any that you be permitted to render for the future, must await the decision of the board. I have written to the King's printers not to proceed any further with the two Calendars."

4883. Did you point out to Mr. Cooper that the excess of remuneration arose from extra labour done, and done pursuant to agreement?—Yes, I wrote to that effect, correcting the errors he had made in this statement. When Mr. Cooper said that my total remuneration of last year was about 300 *l.*, he left out a sum of 70 *l.* My remuneration was 370 *l.* for 1834; my net remuneration would not this year have exceeded 400 *l.*

4884. Sir *Charles Lemon.*] That was for three quarters?—Yes; if I had added the salary, I should have received no other extra payments probably till August 1836.

4885. A further amount would have accrued for your independent labour?—Yes, according to the nature and quantity of work performed.

4886. Which might have brought it up to 500 *l.*?—Yes, it might, or not, according to the quantity of work produced.

4887. Mr. *Hawes.*] What was the upshot of this?—The upshot was, that Mr. Cooper put a stop to my extra employment; and he afterwards said I should receive only 150 *l.*, and that I should perform two hours a day more labour, even for that 150 *l.*

4888. Did he pay the account?—No.

4889. Did you claim it of the board, you having been engaged on certain terms by the secretary of the board?—I determined then to send my account to the board whenever it should assemble; a number of other circumstances afterwards occurring, I resolved to address a pamphlet to The Speaker of the House of Commons.

4890. Then, in point of fact, you gave up the claim you had made on the board?—Indeed I did not.

4891. You did not pursue it?—I pursued as far as I could at the time; no board was likely to sit for several months, and I was in abeyance. I received no payment whatever from Mr. Cooper after his proceedings in August. I will quote the last occurrence from my first letter, addressed to The Speaker: "On 9th November, I requested Mr. Cooper, by letter, to inform me when a board would be held, and how soon I might expect a settlement of my demand, either according to my account or any other standard. I have difficulty in expressing the surprise I felt at receiving the following answer:

"New Boswell-court, Lincoln's Inn,
"Dear Sir, Nov. 11th, 1835.

"If I recollect right, I have more than once informed you that, as the board in 1832 [1833] had refused to allow you any remuneration beyond 150 *l.* a year, all that you have

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received beyond that has been paid on my individual responsibility, not only without the sanction of the board, but in contravention of its order. I decline to incur this responsibility any longer; and I make bold to state, that your conduct has been such that you cannot be surprised at my determination.—I am, dear Sir, yours truly,

"*H. Cole*, Esq. *C. P. Cooper.*"

"This extraordinary information that Mr. Cooper had acted 'not only without the sanction of the board, but in contravention of its order,' on my account, appeared to me so contradictory of the information which I had very recently obtained from Mr. Protheroe of my position under the board, that I deemed it my duty to lay a copy of Mr. Cooper's letter before that gentleman. Mr. Protheroe, in a letter dated November 1, 1835, states, 'This threat of discontinuing your extra work, and thereby reducing your income, is inconsistent with the fact asserted to me, in a written letter which I have, that the commissioners were not, as I had falsely imagined, ignorant of your receiving extra pay. He,' Mr. Cooper, 'told Sir Robert Inglis of it (he told me of it repeatedly), and he says that the board approved of the system.'

"25th November 1835.

"Mr. Cole having asked me whether I should have any objection to giving him the exact words of the passage in Mr. Cooper's letter to me, alluded to in my letter to Mr. Cole of November 15, 1835, it appears to me quite consistent with my duty as a commissioner to give him the passage, since it was on the faith of the accuracy of these words that I assured him that his remuneration was in accordance with the order of the board and the sentiments of the commissioners.

E. Protheroe."

"Mr. Cooper's letter to Mr. Protheroe, December 1833.

"You are quite wrong in supposing that I have increased Mr. Cole's salary, or given him any emolument inconsistent with what passed at the board.

"Sir Robert Inglis and the other members of that board objected only to an increase of salary, but not to any additional emolument arising out of transcribing done out of office-hours.

E. Protheroe."

4892. Have you had any communication from the board?—Yes, since my dismissal.

4893. What was it?—I was desired to send in a full claim of everything I had against the Commission; and accordingly I did so, and altered some of the charges I had placed in the previous account, having placed them at a very low estimate, in the expectation that the work would continue; I added some other expenses rendered useless to me. I claimed, after my dismissal, to be paid for the Calendars according to the same rate as everybody else; and I sent in the following account to the Commission after my dismissal, in which I asked an amount more than 500 *l.*

Record Commission.

To *Henry Cole.* December 1835.

	£.	s.	d.
Arranging the Augmentation-office records during extra hours (same charge as in previous account)	268	16	–
Reports on the Exchequer records and Augmentation-office, at 5 *l.* 5 *s.* per sheet, say 10 sheets (no charge made in previous account)	52	5	–
Analyzing contents of volumes bound under Mr. Caley's directions (as before)	30	–	–
Editing eight sheets of Exchequer records catalogue, at 5 *l.* 5 *s.* per sheet, the price fixed in the Parliamentary returns	42	2	–
Editing, compiling and preparing specimens of Augmentation-office inventory, five sheets, at 5 *l.* 5 *s.* per sheet, the price fixed in the Parliamentary returns	26	5	–
[These charges were lower in the previous account, fixed under an impression that the works were to be continued, when the lower charge would have been a satisfactory arrangement.]			
Transcription of Nonæ Rolls commenced; expenses incurred by me	2	10	–
Examination of Nonæ Rolls by me; a transcript of Kent county, now in Mr. Cooper's possession	3	–	–
Balance of salary due December 1835, at 150 *l.* per annum	62	10	–
Expenses incurred by engagement of additional assistance in preparation of Calendars, now rendered useless by my dismissal	35	–	–
Expenses incurred in purchase of books expressly for the Calendars	20	–	–
	£. 542	8	–

4894. That

4894. That was not strictly pursuant to the engagement between you and Mr. Cooper?—Yes, I considered it was; I claimed nothing for extra labour after its being suspended; I merely claimed salary after August.

4896. What communication did you get from the board?—The last-mentioned account was referred to a committee of the Commissioners, consisting of Messrs. Hallam, Allen and Petit. I attended that committee, and all the circumstances were explained to them, and also the nature of my engagement. The result was, that they wholly acted upon Mr. Cooper's representations, and not in the least degree upon mine. They upset the engagement of 1833 and 1834, though it must have passed the audit of the Commissioners and the Treasury.

4897. That is to say by payment to you?—Yes.

4898. Sir *Charles Lemon.*] When you say upset, do you mean that they cancelled it?—Yes.

4899. But a payment had been made?—Yes; I will show how they cancelled it.

4900. They could not cancel the payment?—No; but in settling the amount of my claims they could make a deduction. They took off 70 *l.* I had received in 1834, and added it to my claims in 1835.

4801. In what respect did they break the settlement that had been closed?—The Commissioners had to pay me a certain amount for extra labour in 1835; they made me a debtor to the amount of 70 *l.* for 1834, which they took off from the 370 *l.*, saying I ought to have received only 300 *l.*

4902. So that they made you debtor for the over-payment?—Yes, although the payment had passed the Treasury and the auditors of the accounts.

4903. Mr. *Hawes.*] How did you calculate your emoluments for the year in question?—As there was no fixed standard for valuing the work of arrangement, I calculated according to the time I had devoted to that operation, and according to the quantity of editorship in printing I could have easily performed during that period.

4904. When you speak of the work of arrangement, you mean you were employed that year in the Augmentation-office?—Yes.

4905. And taking the time that was so employed, you came to the conclusion, had that time been otherwise employed you could have edited as many sheets as you had done the preceding year, and been entitled to as much as they had allowed as the emoluments for extra services?—Yes.

4906. Did Mr. Cooper question that mode of computation?—Not in the least; to my knowledge I never saw Mr. Cooper for a period of five months after he disputed my account.

4907. The mode by which you computed the amount of your emoluments and salary has not been questioned?—Not to my knowledge.

4908. What communication did you receive from the board officially?—I received a communication, dated December 30th 1835, not from Mr. Cooper, as the secretary, but from Mr. Cooper's clerk, written in another clerk's handwriting, to this effect: "Mr. Cooper being away, I am directed by him to inform you that the committee to which your pecuniary claims were referred have reported that you ought to receive, first, the sum of 62*l.* 10*s.*, being the arrears of your salary of 150*l.* a year from August last down to your dismissal from Mr. Cooper's employ; secondly, the sum of 127*l.* 13*s.* being what is wanted to make your receipts, in addition to the amount of salary, amount to the further remuneration of 150*l.* per annum, for your services out of office-hours, from the 1st day of February 1833, when first engaged by Mr. Cooper, to the 19th day of August last, when you had notice that your extra services would no longer be required; and, thirdly, the sum of 80 guineas for your exertions in arranging the Augmentation-office records after the destruction of the two Houses of Parliament by fire * * * * The whole of the above money, amounting to 276*l.* 13*s.*, is in my hands, ready to be paid over to you upon the production of the proper vouchers * * * * ."

4909. What steps did you take upon that?—I sent a receipt for that money, giving the receipt as a receipt on account, and obtained the money; afterwards I transmitted to the Commissioners a protest against the decision of the committee.

4910. Had you received a dismissal previously to the receipt of that letter of December 30th?—Yes, from Mr. Cooper.

4911. Signed by him as secretary?—Not as secretary; and I must take the

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liberty of exhibiting the dismissal to the Committee; it was effected thus; I received a letter on December 5th, 1835, to the following effect: "Sir, circumstances have recently come to my knowledge which make it improper that I should permit you to continue any longer in the employ of the board; you are therefore discharged. Mr. Smith will pay the arrears of your salary up to the present time."

4912. Did you ever have an interview with the board?—None whatever. The Committee will see there is no indication or accusation of any offence committed, but merely a vague statement that "circumstances" rendered it improper that he should further employ me. I wrote to Mr. Cooper, and told him that, having taken counsel's opinion upon his authority to dismiss me, acting as a sub-commissioner, I should decline to receive his dismissal. I addressed a second letter to him, requesting him to inform me of the nature of the charges, the witnesses, if any, and the documents upon which he assumed the authority of the board and sent me a dismissal. Mr. Cooper returned this answer: "The principal and immediate cause of my dismissing you, was disparaging language used by you in speaking of the board, and grossly insulting and slanderous words spoken of myself." I again requested to know whether he would give me the actual and precise grounds upon which I was dismissed, and he sent me a document, which I request may be inserted in my evidence; this is a literal copy of a letter, signed "Frederick Devon," repeating something of a private conversation he had heard some days before.

4913. *Chairman.*] You mean, instead of the document of dismissal it was the evidence upon which you were dismissed?—Yes. Mr. Cooper's reply to my third application was, "Sir, enclosed is the copy of a document, which will disclose to you one of the many grounds upon which I have dismissed you." I proceed to read the enclosure.

"Chapter-House, Record-Office, December 8th.

"Sir, Mr. Cole, on reading that part of my preface where I speak in favour of the Record Commission and yourself, told me 'that it was false; there was no credit due to either one or the other, but that I licked the hand that fed me, and even that mistakenly, for that you were opposed to me; however, he should show me up in print for it.' I felt, as you may suppose, angry, but only merely stated in answer, that I was no party man, and I had praised those who were opposed to the Commission, and only done it where I thought it was due; besides, I did not consider it any disgrace to 'lick the hand that fed me;' that would be only gratitude; but in this instance it was not the case, for if the Commission was abolished, the Treasury would pay me as much or more for the duties which I performed, or of course I should not perform them. I do not consider that when a man tells me what I have written is false, and threatens to show me up in print, that I am at all bound to keep it secret; however, I never should have told you, had you not heard it from other quarters, and it is only now at your request that I put the circumstances in writing. This abuse of you and the Commission is notorious; and he said your conduct was one system of lies from beginning to end. He also showed me subsequently the proof sheets of a pamphlet, addressed to The Speaker of the House of Commons, against you; but I did not read it, I only saw the title-page; but of course that cannot be considered any secret, as it is to be distributed. As I have drawn up this at your request, and as I have no personal enmity against Mr. Cole, I think it right to request that it may not be used to his detriment without his seeing it (and I should make the same request if I was opposed to him); and further, you must be aware that I refuse to accept any arrangement relative to the Augmentation-office, that might benefit me at his expense, if any such was your intention; but as you heard the circumstance from another, and asked me if it was true, I could only affirm it, and you wish me to put it on paper, to which I assented, or it would seem as if I was afraid to put that in writing which I had stated to be the truth during our interview.

"I remain, Sir, your most obliged and obedient servant,

"*Frederick Devon.*"

4914. You mean that Mr. Cooper stated, as the grounds for your dismissal, this report of a private conversation which Mr. Frederick Devon had betrayed to him?—This was the only ground that Mr. Cooper ever stated to me.

4915. What measures had Mr. Cooper taken to assure himself of the truth of

of that statement so made by Mr. Devon; had he told you of the accusation before he acted upon it?—Decidedly not; and it was only after three applications I obtained a knowledge of it, and even then Mr. Cooper did not appeal to me to know whether it was correct. *Henry Cole*, Esq. 3 June 1836.

4916. He received the charge made against you, and acted upon it, and did not, till after repeated applications from you, tell you the ground of your dismissal?—Yes, such is the fact.

4917. Do you think that if the Record-offices were thrown open to the public, and sufficient facilities given to consult them, that literary men and booksellers would find it worth their while, as a private speculation, to publish portions of the most interesting of those records?—Yes, I am quite satisfied of it, and I have a case of my own in point.

4918. What is that?—Mr. Charles Knight has undertaken to publish, on his own risk, some documents relative to the suppression of the monasteries, which I discovered in the Augmentation-office.

4919. You mean in searching among the records you have discovered what you consider curious information, and Mr. Knight has consented, as a common bookselling speculation, to publish it?—Yes. The chief manuscript is one entitled "Henry the Eighth's Scheme for the Creation of Bishopricks."

4920. Those are records existing in the Augmentation-office?—Yes.

4921. Do you not think it probable there is much valuable and interesting matter in the offices, which in a similar way would, without any expense on the part of the government, as private speculations, be made available to the public, if proper access were given?—I think there is no doubt, if the public make use of the matter given to it at the selection and pleasure of the Record Commission, it would do so to a much greater extent with matter it had the means and facilities of choosing for itself.

4922. If those selections were made at the risk of the booksellers making them, probably their interest would give them a better clue to the taste of the public than could be possessed by a commission spending public money, and having no immediate interest in the success of those publications?—Yes; I am quite satisfied that a bookseller with 300,000 *l.* to expend on the publication of records, would have made an infinitely more profitable speculation than the Record Commissioners have done.

Lunæ, 6° die Junii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert Inglis.
Sir Charles Lemon.	Mr. Pusey.
Mr Jervis.	

MR. CHARLES BULLER, IN THE CHAIR.

Henry Cole, Esq. called in; and further Examined.

4923. *Chairman.*] HAVE you any further statement to make with respect to your evidence?—I wish to add one or two observations somewhat explanatory of the mode of my dismissal from the commission. The secretary dismissed me without obtaining any order or license from the board. When the subject was brought before the board by the secretary, to obtain its confirmation of his act, although in attendance during the whole period of the board's sitting, I was never called before it, nor was Mr. Hardy, who attended for a similar reason as myself. Moreover, we have not received any official notice to this day of what passed at the board regarding our interests, or of the charges brought against us, or whether the board did or did not confirm the secretary's proceedings. I was certainly very much astonished not to have heard (as I have never yet heard), from one commissioner who was present at that board, whether or not he had protested against the proceedings of the board, and advocated the justice of my being heard in my own defence against the charges, whatever they were, which I presume the secretary made at that board. As I am called upon, I mention that commissioner's name, Mr. Hallam; because Mr. Hallam had publicly laid down a principle, in a letter addressed to J. C. Herries, Esq., which is printed, and which indicates a course of action exactly suitable to my own case. *Henry Cole*, Esq. 6 June 1836.

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4924. Where is it printed?—In a return entitled "Board of Stamps, Copy of the Minute of the Treasury, of the 6th October, 1826, upon the 13th and 14th Reports of the Commissioners of Revenue Inquiry, relating to the Board of Stamps; with certain papers relating thereto." Ordered by the House of Commons to be printed, the 15th of June 1827, No. 482. Mr. Hallam said in that letter, "I have uniformly insisted that the party should be heard in his own defence. I never will admit that an *ex parte* statement, from whatever quarter it may proceed, and even if it bears on the face of it such a colour of undeniable truth as may often varnish over a great deal of misrepresentation, ought to be received with undoubting acquiescence against any individual, be he a commissioner or a clerk."

4925. Have you any further information to give to the Committee respecting the sale of records?—On the day of my last examination, Mr. Stevenson, a sub-commissioner, at present in the employ of the board, put into my hands three documents, which he had just purchased, and which manifestly, from the very nature of them, are public records, being indentures between public officers and the Exchequer; they are of the period of Henry 7, and their purchase was made by Mr. Stevenson actually while this Committee was sitting; the three documents I beg now to lay before the Committee.

4926. Mr. *Jervis.*] Will you describe the nature of each of them generally?—They are acknowledgments from parties, certifying to have "resceived of oure soveraigne lord by thandes of the Tresourer and Chambreleyns of oure soveraigne lordes resceipt out of his Tresourie serteyne weyghtes and mesures;" the proper depository of them should be, I imagine, the Chapter-house, as the record office of the Exchequer or receipt, and as once possessing certain standards of weights and measures; but it is impossible to say, in the present confused state of all the Exchequer offices, whether they came from the Chapter-house or from other Exchequer offices. Without a doubt, at some time they belonged to the Exchequer; they have been filed. I would add also that within the last six weeks I myself have seen exposed for public sale, an extremely magnificent roll of the revenues of the Crown during the existence of the Augmentation court, at Mr. Rodd's, the bookseller, of Newport-street, and the price asked for this document was 50 pounds or guineas.

4927. Sir *Robert Inglis.*] What is your object in making this statement to the Committee; in other words, how do you implicate the Commissioners of Public Records, or any officer of any department having the custody of records, in the sale to which you refer?—As I have said before, I conceive or interpret the commission to exist, as the commission itself states, for the "better security and preservation of the public records," and here is an instance of abuse, showing the inutility or inefficiency of the commission, and negligence of duty somewhere or other.

4928. From your answers it would appear there is some impression on your part that the documents in your possession were under the custody of the commissioners, or in the control of some department having the custody,—during the existence of the commission?—I do not mean to imply that the commission has ever yet possessed the actual legal custody, that is, a custody conferred by the legislature, of these or any public records; but when the King's commission recites that public records have been "embezzled," and creates a body to prevent such practices, and to take measures for the greater security and preservation of public records, I think if any malversations go forward, the commissioners are responsible for them to a certain extent, either for not having been the means of creating more efficient custodyship by their influence, or for not having taken measures to prohibit sales of such nature altogether.

4929. What evidence have you that the particular records exhibited by you to the Committee, were in the custody of any existing keeper of the records, or were purloined or abstracted at any period during the last three centuries?—I do not imply these records to have been recently taken from any record-office; all I would say is, that here are records, manifestly public records, sold; that while the commissions existed, so negligent has remained the custody of records, that it was not only possible, but has occurred, that documents such as these have been abstracted and publibly sold: for example, I would particularly allude to the removal of documents in the year 1822 to Westminster-hal., by bricklayers and soldiers, when many records were stolen.

4930. Can you specify any other instance of any other parties, in which such negligence could have occurred as to render the abstraction of records possible, except that to which you have called the attention of the Committee, viz. the removal of records from their original depository to Westminster-hall, or from the temporary building in Westminster-hall to their actual depository?—None were lost, I believe, in their removal from Westminster-hall. If I were to examine in detail the custodyship of every record-office in the metropolis, with the exception of the Rolls-chapel, the Tower, and one or two others, I should find it very imperfect, and such occurrences to be possible under it. To the First-fruits-office I know a considerable quantity of public records to have been sent by accident, and though the First-fruits officers have represented to the various persons whom they consider to be the proper custodies of those records, the records at this day remain at the First-fruits-office. Now as the First-fruits-office disclaims any custody of them, and as it cannot induce anybody to take possession of them, the Committee will see from that circumstance alone, how easily the records might stray.

4931. Mr. *Jervis.*] They would come from the Exchequer?—Probably from some branch of the Exchequer.

4932. Sir *Robert Inglis.*] The commissioners of the public records not having the legal custody of records, and if they had, there being no evidence these documents were in any one during the existence of the commission, do you wish the Committee to entertain the supposition that they have been abstracted during the existence of the commission, through any negligence on the part of the commissioners?—Certain records having been sold, and—

4933. These particular documents?—It is impossible to say. I may remark that such doubts as the Honourable Member implies, are equally applicable to any records out of their proper custody, even to documents proved to have been sold 10 years ago. There is no direct evidence to show the exact period at which a majority of public records were in legal custody, excepting at the time when they were created.

4934. Do you mean, by referring to documents sold 10 years ago, to refer to the documents sold as the collection of the late Mr. Craven Ord?—To those sold in 1822, and at Mr. Ord's sale in 1829 and 1830.

4935. Will you state to the Committee what office he held?—He was the first secondary of the King's Remembrancer's-office, and a keeper of certain records. I will adduce another instance, showing probable evils from the vague custodyship of the records: after Mr. Caley's death, some records consisting of charters and other documents, were put into my hands by Mr. Caley's solicitor, he supposing that they must belong to the Augmentation-office. Without any degree of impropriety on the part of Mr. Caley's solicitor, he might have supposed these records to have been part of Mr Caley's private effects; here was a keeper of records; the very secretary to the commission for preserving those records, placing records in such a position that they might or might not have been sold as his private property.

4936. If he were the legal custos of the records to which you have referred, and if wherever he was these documents were actually in his custody, can you attribute it as negligence or a dereliction of duty on the part of the Commissioners of Records, they having themselves no legal custody, that they did not remove a document from the custody of the legal keeper of it, whether that were in his private house or in his official depository?—I must beg the honourable commissioners' pardon, in saying I think the commissioners knew nothing about the matter, and probably it would have been difficult for them to know anything about it.

4937. The question is not whether the commissioners knew anything of the matter, but whether they could, supposing they had known anything of it, have prevented it?—Then I would ask, what is the use of their authority? I think the records being left in Mr. Caley's private house afforded evidence of a wrong practice, which the commissioners should have taken measures to prevent.

4938. He is bound to deliver it to the officer of the Court of King's Bench, or to the officer of the House of Lords to examine it; he takes it with him; he must move it from the depository, you recollect that?—Yes; I admit the possibility of cases when records must be out of the office, and I admit also,

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also, to the fullest extent, that the commissioners possessed no legal authority to make new regulations; it was their business to have got that authority.

4939. Have you reason to think that those documents were entered in any calendar, catalogue, or list; in short, that they were in any way whatever specified when they were in the custody of any legal officer?—No; that practice of keeping an inventory is not sufficiently followed in any office I am acquainted with.

4940. Is there any figure on these from which you can collect they have ever been numbered or marked, or in any other way identified with the particular possession in any office?—Their nature alone would show they are public records, inasmuch as the crown would not execute a deed in a private capacity, alleging a public capacity. There are indorsements at the back, one of which is coeval with the creation of the document; they may or may not be official indorsements, as, for instance, "Three indentures for weight and measures, Henry 7th."

4941. Sir *C. Lemon.*] Of what period is the indorsement; you can tell by the hand-writing?—Probably of the time of Elizabeth.

4942. Sir *Robert Inglis.*] In your former answer you said that the indorsements were coeval?—Yes, there is an indorsement coeval with the record, and another indorsement I take to be in Elizabeth's time.

4943. The indorsement to which you have just directed the attention of the Committee, as of Henry the 7th, is obviously of a later date?—The Honourable Member will perceive there are two indorsements on the same document, one manifestly coeval, at least only a year older than the earliest part of the record.

4944. (To the Rev. *Joseph Hunter.*) Having looked at the documents which Mr. Cole has produced, do you agree in opinion with him that at one time they were in the possession of the public offices, and not in the possession of the parties?—No doubt; they seem to have been in the possession of the Chamberlain of the Exchequer, or other proper persons.

4945. And they must somehow or other have strayed out of that custody?—They must.

4946. Sir *R. H. Inglis.*] (To Mr. *Cole*) You stated that you were in attendance, and that Mr. Hardy also was in attendance at that meeting of commissioners of public records, at which the decision of Mr. Cooper was confirmed by the board?—Yes.

4947. Without asking more than you may know as to Mr. Hardy, were you individually summoned to attend that meeting?—I received three official letters from Mr. Cooper, dated December 9, December 15, December 16, 1835, each informing me that the board would be held at the house of the Chancellor of the Exchequer.

4948. Did you intimate the fact of your being present to the board collectively?—That I had no opportunity of doing; but I saw Mr. Cooper, the Archbishop of Canterbury, Mr. Protheroe, Mr. Petit, and several other commissioners. It must have been notorious, Mr. Hardy and myself were ushered into the same anti-room, where sat several of the commissioners. Whether in attendance or not, the point I wish to adduce is, that the board listened only to Mr. Cooper, and did not listen to me.

4949. You say that you never received any communication of the decision of the board on that occasion, except the communication from Mr. Cooper, that you were no longer in the employment of the commission?—I received that communication anterior to the meeting of the board, and received no communication whatever whether the board confirmed Mr. Cooper's act. I afterwards received a communication to produce all my claims on the commission, before a committee, but I have never known officially whether I was discharged or not; and I may add, that even the communication I did receive, desiring me to send in my claims, was not from the secretary himself, but from a clerk, and it was not even in his own clerk's handwriting, but in that of another clerk.

4950. *Chairman.*] Will you state very briefly now, having been a long time under the board, and cognizant of the proceedings of the commission, without entering into detail or giving your reasons, what you consider have been the errors of the constitution of the old commission, and what alterations you would suggest?—It would be but justice to the subject and myself, to allow me to make a proper answer, which cannot be very brief. With permission, I will

will hand in a reply, in which I will endeavour to show, as briefly as possible, the failure of the commission, and the causes of failure, its actual working, and to point out those duties which I conceive were incumbent on the commission, and the necessity that the commission should possess sufficient power for the exercise and performance of those duties.

4951. Is there any other point on which you wish to make any further statement to the Committee?—There is one other point which I cannot at all clear up. I requested the secretary by letter, when he suspended the printing of my calendar, to furnish me with the order of the board authorizing the commencement of them. The secretary evaded the question, and answered he would lay my request before the next board. I repeated my request some months afterwards, and the secretary then (I being dismissed from the commission) sent me something which certainly and most positively was not the order of the board which he read to me when I was first authorized to commence the editorship of the calendars. Mr. Cooper did not give me a written copy of the order of the board when I commenced my labours, but read to me the order. I particularly remarked that there was an express injunction from the board, not to omit certain matters which had been printed in "Dugdale's Monasticon," and my name was mentioned in the board's order. I have since asked Mr. Protheroe if he had any recollection of the subject, and he perfectly well recollects the circumstance. The order of the board, as transmitted to me by the secretary, consisted merely of words, that the said or foregoing catalogue go to press, without any mention of my name. This is a matter which it is impossible for me to clear up. One ground on which I rested my claim of being a sub-commissioner, was the fact of the board's nominating me to the performance of certain duties. I wish to add, when I was asked by the Committee for illustrations of Mr. Cooper's unofficial conduct, it would have sufficed had I referred to the examples that were before the Committee, of his endeavouring to obtain transcripts *sub rosa*, also to the transmission of certain private documents of the board to the British Museum in a fictitious name, accompanied by the following letter, which I now beg to produce, as showing how far Mr. Cooper did not scruple to go out of a straight-forward course to effect his object. The letter is in the British Museum, in a volume entitled "Privately Printed Tracts on the Record Commission, Cooper on Registration, &c.":—"Ross, 10th June, 1833. Sir,—The tracts in the volume that I now beg to present to the British Museum, were given to my late uncle by a gentleman in one of the record-offices in London. He informed me that they were very rare, only 50 copies being printed of each, which induces me, as I am leaving England for some time, to take the opportunity of a friend going to town, to send the volume containing them to be placed in the fine library confided to your superintendence. I am, Sir, yours, &c., *Chas. Hughes.* To the Librarian of the British Museum, London." This letter is in the hand-writing of Mr. Cooper's own clerk. I may be in error, but I certainly consider sending a criminatory pamphlet (concerning the Parliamentary Writs) containing most libellous terms against a colleague, in a fictitious name, by a fictitious letter, of a fictitious person, not to be a straight-forward proceeding.

4952. How do you know that there is no such person as "Charles Hughes"?—I know that the letter signed Charles Hughes is in the hand-writing of Mr. Cooper's clerk. I know too that the documents transmitted with that letter, were privately printed documents for the use of the board.

4953. Sir *Robert H. Inglis.*] How do you connect the hand-writing of Mr. Cooper's clerk with that of Mr. Cooper himself?—I may answer that question at once, briefly by saying Mr. Cooper admitted the proceeding as his own; Mr. Cooper admitted the fact before this Committee. It would be difficult indeed to understand how Mr. Cooper's clerk could obtain possession of privately printed documents, and send them to the British Museum, bound in a volume with a work of Mr. Cooper's own, without Mr. Cooper's authority.

4954. *Chairman.*] How do you know that there was no such person as "Charles Hughes;" you call him a fictitious person; how do you know there was no such person?—I have been informed that the British Museum in receiving this communication, adopted the usual course of acknowledging the donation, and returned a reply thanking Mr. Charles Hughes, of Ross; the

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6 June 1836.

letter was sent to Ross (Herefordshire), and returned back to the British Museum; a letter of thanks was then transmitted to Ross in Ireland, and this letter also was returned, with notice that "Charles Hughes" was not known there.

Mercurii, 15° die Junii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Pusey.
Mr. Hawes.	Sir Robert H. Inglis.
Sir Charles Lemon.	Dr. Bowring.
Right Hon. C. W. Williams Wynn.	

MR. CHARLES BULLER, IN THE CHAIR.

Robert Benson, Esq., called in; and Examined.

Robert Benson, Esq.
15 June 1836.

4955. The Right Hon. *C. W. Williams Wynn.*] YOU are Recorder of Salisbury?—I am. Before I was recently appointed by the Crown to the office of recorder, I was deputy recorder of Salisbury from December 1829.

4956. Have you had much occasion to consult ancient records?—Yes, I have had very considerable occasion, partly in connexion with my official character at Salisbury, which made it necessary for me to examine a great number of our local records, and partly with a view to the illustration of English history and topography; and let me add, that these inquiries I often found useful in the furtherance of my professional pursuits as a lawyer. I have also had frequent opportunities of examining the records in public offices here, and have availed myself of them.

4957. What repositories here have you principally visited?—I have occasionally made extracts from the records in the Tower, in the Remembrancer's-office of the Exchequer, in the Augmentation-office, in the Chapter House, also in the State Paper-office, and in public libraries, more particularly those of the Inner Temple and of the British Museum.

4958. You have not mentioned the Rolls; have you examined the records there much?—No: as far as I remember, on one occasion only at the Rolls; and that was on a question of the right to voting for members of Parliament for Salisbury, towards the close of the 17th century.

4959. What has been your principal object in those researches?—My principal object in those researches has been to illustrate the topography of Wiltshire, and more particularly of Salisbury, which is my native place; and I should state that we have a body of gentlemen in Wiltshire, of which Sir Richard Hoare is the head, who have for some years past consulted together upon the illustration of our county antiquities, and the preparation of a county history, which is now in progress; that has been one of the chief purposes for which I have consulted those different repositories before mentioned by me.

4960. Have you derived any assistance from the publications of the Record Commissioners?—The greatest. I hardly know how I could have proceeded without them, because it was impossible for me, in a great number of instances, to get access, or to afford time to go to the public repositories in which the originals were contained; and consequently I was glad to avail myself of those treasures that the Record Commissioners have rendered available to inquirers into history and topography.

4961. Will you specify those publications that have been most serviceable to you?—The Liber Feudorum, commonly called the Testa de Neville; the three Ecclesiastical Surveys, namely, the Taxation of Pope Nicholas, the Nonæ Rolls, and the Survey taken in the reign of Henry 8; the Rotuli Hundredorum, the Inquisitiones Post Mortem, the Proceedings in Quo Warranto; indeed I might go over the whole list of works which have appeared under the auspices of the Record Commissioners.

4962. Could you have gained the information that you wanted without those volumes?—Decidedly not.

4963. Have

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4963. Have you used any of the publications of the commission, with a view to general history?—Yes, I have used several of them, especially in examining points of constitutional interest: I remember one particular instance. During the agitation of the Reform Bill, Old Sarum was, as we all know, the chief object of attack from some members of the House of Commons, and I took some pains to investigate the early condition of that borough at the time when it first returned members to Parliament. From that portion of the Hundred Rolls which relates to the reign of Henry 3, in conjunction with those of the subsequent reign, coupled with other documents, I clearly made out that the representation of Old Sarum, when it first returned members to Parliament, was much in the same condition as when the Reform Bill passed. There is a curious point in the first of those Hundred Rolls; it states the question asked of the jury as to the return of writs for Old Sarum; and the answer is, "Dicunt quod *homines* de Veteri Sarum habent returnum brevium domini Regis, et talem habent libertatem a domino Rege et antecessoribus suis concessam:" that was in the latter end of the reign of Henry 3. A very few years after, in the reign of Edward 1, the same question is put to the jurors; and there the answer is, "Dicunt quod *burgenses* Veteris Sarum habent returnum, et habent judicia felonum captorum infra burgum prædictum, secundum consuetudinem civitates Wynton." I therefore concluded that the words *homines* (which had been construed by some people to mean inhabitants) and *burgenses* were convertible terms; and coupling that with the information I obtained at the Tower, concerning the borough in the reign of Edward 3, and comparing these facts with an ancient survey of the place, where the burgage tenures are set out (none of which are less than three acres, and the largest in space 10 acres), I concluded that those *burgenses* could not be the mere inhabitants of the place, but that they were the demesne tenants of the lord who held the castle of Old Sarum, himself being a tenant *in capite* of the Crown.

4964. Have the publications of the Record Commission, in your opinion, been serviceable in advancing a knowledge of English law and jurisprudence?—Yes, very greatly so; or at least might be so.

4965. What is your opinion of the authentic edition of the Statutes of the Realm?—I think it is as valuable a monument of ancient laws and history as any nation can boast of; before it appeared, we had merely the collections of the statutes that were in practical use among lawyers; and which, when they were repealed, were struck out of succeeding editions, as no longer serviceable in Westminster Hall; at the same time those repealed statutes were of the highest importance, occasionally, in throwing light upon the state of the times, and which, but for this great national work, might have been lost sight of to the detriment of historical science.

4966. Do you think that the public benefit produced by that publication has been proportioned to its expense?—I do not know precisely the cost of it; but, in speaking of great national interests, I should not be disposed to urge considerations of economy applicable to individuals. I should question very much whether its expense can be more than equal to its utility.

4967. Do you apprehend it would have been possible for such a work to have been produced except at the national expense?—No; I apprehend it never could have answered, so as to repay the cost and labour of publication.

4968. What other works of this kind have been of service to you?—I have mentioned all those that were published by the Old Commission. I also have, in some degree, examined those that proceeded from the present Commission; the Proceedings in the Curiæ Regis, and those of the Privy Council, and the Records of the Fines, I think them all of very great utility.

4969. The Calendars of the Proceedings in Chancery?—I found that of very great value; for, as a Chancery practitioner, I felt anxious to know the early history of the practice of that Court, which was involved in great obscurity. Our Text-books give no information about it earlier than the reign of Henry 6, but when this work came out we had abundant examples of proceedings of the Court from the reign of Richard 2, which contain information of the state of society at the time, which is astounding to us. Suits were then often the cause of local commotions resembling petty civil wars; and but for the interference of that great officer of state, the Lord Chancellor, there was no remedy for the grievance. They are exceedingly curious and valuable. I should add, that only the proceedings of the earlier suits, from the reign of Richard 2, are stated in detail; the body of the work consists only of short notices of the suits,

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suits, where the actual causes of complaint cannot be set out at length. There is one very curious instance indeed, that I recollect, in the reign of Queen Elizabeth, where an injunction is sought in the Court of Chancery to restrain a Member of Parliament from suing the burgesses of Devizes for his expenses in attending Parliament. I might add, that from this work may be gathered a great number of facts illustrative of the progress and fluctuation of our equity jurisprudence, which in my estimation are of great public interest.

4970. What is your opinion of the publications which have been issued since the formation of the New Commission?—My opinion is an extremely favourable one; but at the same time I should state, that a taste for archæology may, in some degree, bias me. Indeed I consider their utility is, if not of equal value to those stated before, still of very great value. The Proceedings of the Curiæ Regis tend to make very complete our knowledge of the constitution and proceedings of our courts. The Year Books commence, I believe, with the reign of Edward 1, but these carry them much farther back, and elucidate the prior history and progress of English jurisprudence; a matter of great interest and (as I think) of considerable importance.

4971. Will you state your opinion of the expediency of printing all the Rolls of Chancery down to the end of the reign of John or of Henry 3?—My opinion is that all records should be printed entire, at least down to the end of John's reign: they are not voluminous; and it is indispensable to our history that a complete body of such evidence should be afforded.

4972. Do you think it desirable that from that period they should be printed entire, or a selection made from them?—I do not know the extent to which they would go; nor have I seen the originals, so as to be able to give an accurate opinion upon the subject.

4973. Have you had occasion to consult the volumes of the Close Rolls and the Patent Rolls that have been printed?—Yes, I have, occasionally; but I cannot call to my recollection any particular point. I have of late been chiefly conversant with the Rotuli Curiæ Regis, and I was much struck with the Placita Coronæ, which are inserted in that publication, made during several of the itinera of the judges in Eyre; for they are full of curious information as to the state of the country, and the way in which the police of England was then administered, if I may use such a term.

4974. Do you think that the publication of the Final Concords would be useful?—One volume has already appeared; and I confess, speaking topographically, they must be exceedingly valuable.

4975. You have stated that you have had frequent access to the records of the city of Salisbury; will you give some account of them to the Committee?—Most willingly. In the first place the records of the city of Salisbury may be divided into two classes, civil and ecclesiastical. The civil records relate to the proceedings of the inhabitants, at different times in their convocations, from the 11th of Richard 2 to the present day, contained in an uninterrupted series of Ledger Books for the whole of that period. During the early part of that period Salisbury, being as it were the capital of a district, abounding with rich wool-staplers, and persons of great opulence, was frequently applied to for pecuniary loans and advances to assist the rival political parties in the wars between the houses of York and Lancaster, which then agitated the country; and in those records there are inserted numerous Royal letters, and letters from the Privy Council, and details illustrating the general history of the country, which, I confess, vastly surprise me. One of those books contains the only dispatch of the battle of Agincourt, if I may use the term dispatch as applicable to a contemporaneous letter sent from London, and detailing many particulars of that celebrated battle. It is a very important document. There are many others of national interest, arising from the circumstance of the wealth of the inhabitants, and the frequent application made to them for pecuniary advances. There are also two or three books called Domus-Dei, they are what may be called registers or chartularies, containing particulars of private transactions between the citizens, such as conveyances, houses and lands, and wills relating to the same; and I think also some ancient charitable endowments, rather of local than of public interest. Of these books, written upon parchment, some are apparently lost. The first extant begins in the 13th of Edward 3, if my memory does not deceive me. The archives of the corporation contain also a great number of letters from the Privy Council during the time of Queen Elizabeth, and subsequently, when any conspiracy

conspiracy against the State was apprehended. The gunpowder plot, if I remember right, is the subject of several of these letters; they are yet unbound. There are other documents, of a local nature, relating to the trade of the city, which it is not worth while for me to enter upon at present. The ecclesiastical archives are tolerably rich, beginning with a volume called Saint Osmund's Chartulary. Saint Osmund was a friend of the Conqueror, and the first Norman bishop of Salisbury; the cathedral church of which, at Old Sarum, was built by him. This chartulary, or register, contains the earliest muniments of the old cathedral; and, besides it, there is a great number of records highly interesting to the ecclesiastical historian; for instance, another book, in the possession of the bishop, called the Liber Ruber, which is also a chartulary, and next in antiquity to Osmund's. Then there is a series of registers, tolerably perfect, up to the present time, beginning with the Register of Simon De Gandavo; these are full of historical interest, as they contain many of the proceedings of the diocese of Salisbury against the Lollards, and those opposed to the Church of Rome, which lead me to think that an investigation into the ecclesiastical archives of our different sees, supposing them to be as rich as that of Salisbury, would throw great light upon the history and progress of religious opinion in this country prior to the reign of Henry 8.

4976. Have you anything further to state or recommend with respect to the proceedings of the Record Commissioners?—I should wish vastly to see the commission continued or extended in point of utility. I should think it very advantageous that there should be a central board in London, and in different districts there should be some proper receptacle for those archives that are of a local kind for their preservation. The chief Board of Commissioners should, in my opinion, consist of unpaid commissioners, persons holding high political stations, in conjunction with other persons, also unpaid, but who are competent to judge of the value of our ancient national muniments, and, at the same time, able to examine the transcripts made by the editors or sub-commissioners, and compare them with the originals, so as to discover whether the work has been satisfactorily done, and the money of the country not improperly expended.

4977. Sir *Charles Lemon.*] You spoke of several works published by the Record Commission; and among the rest the Testa de Neville, the Inquisitiones Post Mortem, the Quo Warranto Rolls, and the Proceedings in Chancery. In what state did you find those with respect to accuracy?—I have never had an opportunity of comparing the publications of the Record Commission with the originals, but I did not see any flagrant inaccuracies that struck my eye in reading the former; I cannot positively say they were accurate transcripts.

4978. In the course of your researches among the Quo Warranto Rolls, have you found yourself impeded by inaccuracies in names and dates?—There are a few inaccuracies, which will necessarily creep into the transcripts; for example, the *n* and the *u* are sometimes confounded: but that may happen to the most skilful scribes. It requires a local knowledge to use the *n* and the *u* always in the right place. There are other letters that in the MSS. nearly resemble one another, as the *t* and the *c*; and the transcriber, not having local knowledge also, sometimes mistakes one of these letters for the other; but subsequent criticism easily corrects this.

4979. Is that the principal defect?—Yes.

4980. So that, if the words and names could be read, the index in itself is sufficiently perfect?—Yes, I think so.

4981. With respect to the Inquisitiones Post Mortem, are they complete up to the knowledge of the present time, with respect to the stores possessed in that way?—I believe not. The Inquisitiones Post Mortem hitherto published extend only to the reign of Richard 3.

4982. Is it done in a form which will admit of those additions upon the acquisition of fresh knowledge?—I think so. There is one great defect in that publication, which is, that the age of the heir upon the death of the ancestor has been omitted.

4983. So that the deficiencies, if there are any, are remediable?—Yes; I think so.

John Gage, Esq., F.R.S., called in; and Examined.

John Gage, Esq. F.R.S.

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4984. The Right Hon. *C. W. Williams Wynn.*] YOU are Director of the Society of Antiquaries?—I am.

4985. Have you had considerable experience in the selection and publication of records, and other matters of an historical and literary nature; and are you also yourself the author of the History of Hengrave; and have you collected materials for other publications?—I have had experience in the selection of records. I am the author of the work alluded to; and I have made large collections of materials for a History of the County of Suffolk, and I have now a volume in the press.

4986. Have you had occasion to make much use of the publications of the Record Commission?—Since the year 1815, I have had frequent occasions to make use of the publications of the Record Commission.

4987. Have you found them of much utility?—I have found them of the greatest utility; in fact I could not do without them.

4988. Which of those publications have you had most occasion to refer to?—I have had occasion to consult most of them; being engaged in a topographical work, of course it necessarily leads you through the whole series of records; such as are applicable to foreign countries would not so strictly apply to my purposes.

4989. What is your general opinion of the manner in which those works have been executed?—My general opinion is, that although perhaps some of the calendars might in some respects originally have been improved, yet they are all of them of the highest value; and in fact you cannot do without every one of them.

4990. Are you of opinion that the selections and publications have in general been judiciously made?—I think they have.

4991. Do you conceive them to have been useful in the elucidation of the general history of this country, and particularly its legal antiquities?—A distinction is often made with regard to general and local history, in disparagement of the latter. My own opinion is, that local history is so intimately connected with general history that you cannot disjoin them; and I consider that the publication of the works of the Record Commission have been eminently useful for the purposes of local and general history, and for archæology, biography and genealogy generally.

4992. What is your opinion of the works now in the course of publication?—With regard to the works now in the course of publication, I consider that those now in progress under the present commission, without any disparagement to those that were published by the old, are, with one or two exceptions, more valuable.

4993. Will you specify the publications you conceive to have been of the greatest utility?—The Pipe Rolls I consider in many respects to be of extreme value, both for military and civil as well as local purposes. I also consider the Patent Rolls and Close Rolls as highly valuable. With regard to the works of the old commission, of course no topographer can do without them; take, for instance, the Inquisitiones Post Mortem and Ad Quod Damnum; the Hundred, Quo Warranto, and Charter Rolls; the Parliamentary Writs and Placita; and I could specify others.

4994. Sir *Robert H. Inglis.*] From your estimate of the value of the different publications which have issued under the authority of the successive commissions, do you consider that they are such as would have repaid a private publisher if he had undertaken the publication of them at his own expense?—I am of opinion that no private publisher could have repaid himself, but would have suffered a very great loss.

4995. Then regarding them as intrinsically valuable to the general student in history and law and constitutional archæology, and considering that they would not be likely to reimburse the speculation of a private publisher, do you regard it as a useful application of the public money that the commissioners have directed the publication of the works to which your attention has now been called?—I do so regard it.

4996. Do you consider it desirable that such publications, under the direction of the same persons as originally advised them, should be continued?—I do.

4997. Sir *Charles Lemon.*] Will you have the goodness to state to the Committee any particular instance that may have occurred in your own experience in

in which you have found these records valuable upon any important point with reference to the history of England, and not merely topographically or genealogically?—As a topographical writer I may be permitted to say that the whole history of the tenants *in capite* is in fact more or less the history of the great actors in public affairs, and consequently at every step in examining the records some little fact will come out connected with the history of the country generally. The Pipe Rolls, beside the Royal revenue, show, among other things, a variety of details connected with military transactions, such as the erection and demolition of castles.—(*See* the Suffolk Pipe Rolls of the time of King Henry 2, in the case of the Bigod rebellion.)—The Patent Rolls show circumstances of still greater importance. The Close Rolls are extremely multifarious in their contents, and interesting; and contain, amongst other things, much relating to the history of arts and manufactures; thus we have in them important entries connected with the Painted Chamber and the palace at Westminster.

4998. In the acquisition of those facts, have you been materially assisted by the publications of the commissioners?—Most materially. There is a disposition to disjoin general and local history; but I could show that in local histories facts are found connected with general history: indeed, almost every local history contains some such facts, which are not to be found elsewhere, and which would not come out without those publications.

4999. Can you point out, in the works of Lingard or Hallam, any instance where they have made use of any of these publications in detecting errors or explaining obscurities, or adding important historical information to that which was already known; taking the reign of King John, for instance?—At this moment I do not feel myself prepared to state any particular instances.

5000. Taking the obscurities in John's reign; Arthur's death, for instance, or John's alleged mission to the Arabian Caliph, and offering to relinquish his throne and turn Mahometan?—Those are points I have not turned my attention to, and I could not pretend to give an answer respecting them.

5001. Sir *Robert H. Inglis.*] From what you know of the constitution of the commission do you recommend any alteration, or do you approve of it generally as it stands now, regarding its working, so far as you are cognizant of it?—As far as my knowledge goes it appears to me to be working generally well, and I should be extremely sorry to see paid commissioners in this country for such an object. I should apprehend it would lead more probably to disgraceful jobs, than to anything else.

5002. The Right Hon. *C. W. Williams Wynn.*] You have been asked relative to the reign of King John; have not the publications of the Record Commission which threw light upon that reign been published since the publications of Mr. Hallam and Dr. Lingard?—I rather incline to think that they have.

5003. *Chairman.*] You are of opinion that the present commission has worked well?—As far as I am aware, I am.

5004. What do you consider the duties of the present commission to be?—I consider the duty of the present commission to be to take means for the preservation of the records in the different repositories, and to see that proper publications are issued that will be useful for history, either general or local.

5005. You consider that the primary object of the commission is to see that the records are well taken care of and rendered accessible to the public?—Certainly.

5006. Are you acquainted minutely with the state in which the records are kept at present?—With respect to the state in which the records are at the Tower, I believe I can answer that question.

5007. With regard to the Rolls?—With regard to the Rolls, I have occasionally gone to the Rolls, and those documents I have seen, some of them appear to me preserved in very proper books; although some of the Inquisitions themselves are not in so good a state as those I have seen at the Tower.

5008. Are they perfectly accessible?—No; but to myself I have found every attention; they have always been accessible to me, and I have paid nothing for them.

5009. Have you read the evidence given before this Committee as to the fees taken, and the difficulties that exist in the way of getting access to the records there?—I have not. I am perfectly well aware that to the public generally the records in the Rolls chapel are not open, except upon payment of fees; and certainly, if I am asked whether they should be made accessible to gentlemen

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concerned in literature, I think they should have the same facilities as at the other offices; at the same time, I have had that facility myself.

5010. Are the contents of the record offices made known to those who search among them by proper indexes and calendars?—No, certainly not, in all the offices.

5011. Are you aware whether the indexes contain the whole of the information required; whether they are perfect?—I am not; but, with respect to the Rolls chapel, I should beg to state that I have a manuscript index, referring to a great many of the Inquisitions there; and I believe, from comparing it with the one in the office, generally speaking, as far as the Suffolk inquisitions go, the office index is very fair, that is to say it corresponds with the one I have.

5012. Your information extends principally to the inquisitions?—I have spoken chiefly to them; but I have also consulted the Charters and Patent Rolls.

5113. Do you know the state of the records in the Pipe-office?—Yes, of some of them.

5114. Do you think the arrangement there satisfactory?—The arrangement is in reigns and years, but the situation is bad. The Pipe-office has been one of the very few offices where I have had to pay anything whatever for any searches that I have made for a great many years. What I have seen in this office has been the Pipe Rolls of Henry 2, Richard 1, and John; and some few others. Those rolls I found in a good state.

5015. No one disputes that the Pipe Rolls are in a good state of arrangement; but I speak of the other records in the Pipe-office, and the other office at Somerset-house?—My researches have been confined to the Pipe Rolls.

5016. Do you know, from your inspection of the office merely, whether the other records are in a proper state of arrangement and preservation?—I cannot say.

5017. Do you know much of the Lord Treasurer's Remembrancer's-office?—I have two or three times been there to examine the originals merely, and I cannot speak to the general state of the other documents there.

5018. In the searches you made, were you successful?—I was.

5019. Did you ascertain that you could easily find the documents you were in search of; and, generally, that you could find whether the information you wanted existed in the office or not?—I have specified that it was only on two or three occasions I have been there.

5020. I want your experience on those two or three occasions?—I found the documents I wanted.

5021. Do you think, from the searches you made on those occasions, a searcher could go into that office and come out with a pretty good confidence that he had found the document he wanted, as in your case; or, if he did not find it, that it did not exist?—I should apprehend he would not find readily what he wanted if it were among miscellaneous documents, as I have understood; but this does not apply to the originals, which are the bulk of the records, as I believe, of the office.

5022. Sir *Robert H. Inglis.*] Do you refer in those answers to the position in which the records are, or their being in an unfavourable *locale*, or to the arrangement in such place, so far as it can be made suitable for the purposes of consultation?—I would not give an answer at all as to the state in which they actually are now, or were then; it is long since I made those two or three searches.

5023. *Chairman.*] Do you know the state of the records in the other law courts in Westminster Hall?—No, I do not.

5024. Do you know the state of the records at the Carlton Ride?—No; but I have seen the same records, on one occasion, at the King's Mews.

5025. Do you think that the records there are in a satisfactory state of arrangement?—The arrangement must partake in some degree of the disadvantage of the situation.

5026. Sir *Robert H. Inglis.*] Is not that obviously a state of arrangement depending upon the transition from one place of deposit to another, and while waiting for a permanent location?—It is plainly merely a temporary depository for those records.

5027. *Chairman.*] When you say the state of arrangement depends upon that, do you know that they were ever in a better state of arrangement?—They were in a very bad situation at the King's Mews; and the situation is probably not now improved.

5028. The answers you have given would lead to the supposition that they were in a very good state originally, and that they had fallen into a state of confusion in consequence of their removal?—I do not think that my answers would lead to that; I was never acquainted with the state of those records before their removal from Westminster.

5029. All you know is, that they are now in a very bad state of arrangement?—I am unable to speak, of my own knowledge, of their present state of arrangement; they are not, I should think, in a proper depository,

5030. Sir *Robert H. Inglis.*] And that they are now in a building which you conceive to be a temporary place of deposit?—Yes.

5031. *Chairman*] Do you know where they are to be placed?—No.

5032. It is a temporary place of deposit that may last for ever?—I cannot say.

5033. It would appear from your evidence, that in your opinion the great mass of the records, except those at the Tower, are in a very bad state of arrangement, and very improperly placed; that the public are not properly guided, by indexes and calendars, to the information to be found in them; and that, in one instance, the fees are high even upon historical researches?—I have not stated any such facts. I have said there are some records that I cannot speak to; and those that I can speak to, such as those at the Tower, I am perfectly satisfied, from what I have seen, they are in a very good state.

5034. You have stated that the commission works well, I am endeavouring to ascertain in what respects it has worked well; you say you know that in the Tower the arrangement is good?—I believe it is.

5035. As to the other offices you do not know much about them, but what you have stated is very unsatisfactory?—I am not aware that from my statement the general condition of the records can be inferred to be unsatisfactory.

5036. You state that the commission has worked well; I want to know from your own experience of the commission, first how it has worked with regard to the proper disposition and arrangement of the records, and next I want to ask you how it is that you say the commission has worked well when, according to the information you have given us, it appears that they have kept the records in a bad position and a bad arrangement?—I think the commission has worked well; its published works have done it credit.

5037. I do not want to come to the question of the publications at present, but how it has worked in the arrangement and disposition of the records?—In the arrangement of the records, of course, I am not competent to say that all the directions that they may have given, or what they may have endeavoured to do, has been effected.

5038. In which of the offices, from your experience, is the arrangement satisfactory?—At the Tower.

5039. In which of the others?—The Chapter-house.

5040. Altogether?—Yes; as far as I have had opportunities of judging. When I have gone there in pursuit of literary information I have received every attention I could wish from Sir Francis Palgrave, or Mr. Caley, during his lifetime; and as far as I can judge from what I have seen, and the information I have received, I have every reason to be satisfied.

5041. You give that as an answer applicable to the Tower and the Chapter-house?—Yes.

5042. Do you give the same answer as to the Rolls Chapel?—Yes.

5043. To the same extent?—As far as I have seen. The Inquisitions, for instance, are kept in proper books; but, from the difference in the form of the Inquisitions, they are not in the good state that they are in at the Tower. There is no printed catalogue; a printed catalogue is wanting.

5044. From your knowledge of the state of the records at the Rolls Chapel, have the public proper information by indexes and catalogues, or by arrangement, of the information that exists there?—No; they have not any indexes and catalogues belonging to the public.

5045. Have they in the Pipe-office?—They have not.

5046. Have they in the Augmentation-office?—I am not prepared to say.

5047. You admit they have not in Carlton Ride?—I cannot answer as to the Carlton Ride, where I have never been; and as to the King's Mews, I had no opportunity of ascertaining on the occasion of my being there.

5048. It is obvious that documents, mixed together in sacks, without any

 index,

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index, are not in a very satisfactory state?—Such documents would require an assortment which might take years to effect.

5049. Then with regard to the arrangement and disposition of the whole mass of records, as well for legal as for historical purposes, do you still say the commission has worked well?—I cannot speak as to the arrangement and disposition of the whole mass of records. When I said the commission had worked well, I meant generally for the public benefit.

5050. In what respect?—In its publications, certainly.

5051. Then do you not admit that the first duty of the commission is to have the records of the country kept in a proper state, well arranged and accessible without high fees?—I remember some years ago going to the Augmentation-office, and I frequently found persons busy during that time in binding and repairing the records; and I have even since gone during the present commission, and I have seen them preparing and putting the records into a proper state. It is hardly to be expected I should give an answer as to the extent of all the operations. That something has been done, there is no doubt.

5052. That is only saying that they have not wholly neglected their duties?—Of the many points to which they have to direct their attention, some of course have had more consideration than others.

5053. You say the Commission has worked well. I have taken what I call the most important of their duties; I want to know from you how it has discharged that duty?—There is still much to be done.

5054. Can you say it has discharged it well, or that it has discharged it ill?—I really do not feel myself called upon to give any other answer than I have.

5055. I think you are called upon to do so, if you say the Commission has worked well?—I have explained the sense in which I used these words. I have, in making use of its publications, found them extremely useful to my purpose; and I hope it will go on and publish more.

5056. You yourself have admitted that this was an important class of their duties; I thought you said the most important, that of providing for the proper disposition of the records, and the proper access to the information contained in them; will you state whether I am wrong in that?—It is one part of their duty certainly, and an important part.

5057. Do you think it the most important part?—It is one of the most important.

5058. In saying that the Commission worked well you have not taken that element into consideration?—Yes, I have. I have seen at the Chapter-house and Augmentation-office improvements going on in bindings and reparations.

5059. That is the only ground you have for saying that they are doing something?—I cannot say to what extent.

5060. You do not know in what manner?—I cannot speak with certainty. I do not pretend to have more than an accidental acquaintance with anything but the publications.

5061. Suppose anybody was to say that this arrangement, going on at the Chapter-house or the Augmentation-office, was the most faulty possible, could you give any information upon the subject?—No, of course I could not.

5062. You do not speak to the mode, but it has come under your observation that they are doing something in the way of arranging and binding?—They are attending to the documents in the two offices I have mentioned.

5063. Sir *Robert H. Inglis.*] And you, as a literary man, connected with the law and antiquities of the kingdom, have found, on going to the Tower and to the Chapter-house, such facilities as you desired upon the subjects of your consultation?—Every facility.

5064. And you have seen, in the course of your occasional visits to the other offices, that the processes of binding and repairing, cleansing and arranging records has been going on?—Yes.

5065. *Chairman.*] That is in the Augmentation-office?—And the Chapter-house; and, I believe, I might apply the same thing to the Rolls-office. I have been in the habit of consulting the records there for some years.

5066. Do you know the plan upon which it has been done?—No.

5067. Is it consistent with the preservation of the documents?—As far as I have examined, and I speak chiefly of the Inquisitions, they are, at the Rolls chapel, preserved in books with strong covers; some of them are large, and they are all properly arranged.

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5068. Do you know when documents are wanted at the Rolls that it is the custom to cut them out of the binding, and in cutting them to damp them, and very frequently tear them?—I do not know.

5069. Sir *Robert H. Inglis.*] Did you ever hear of it till the question was put to you?—Never.

5070. *Chairman.*] One of the questions of Sir Robert Inglis applied to your consulting these documents for purposes connected with the law; you have not consulted them for purposes strictly legal?—No; merely topographical purposes, or purposes of archæology.

5071. Sir *Robert H. Inglis.*] As connected with legal proceedings, such as the Inquisitions?—Yes; but not for legal proceedings of the present day.

5072. *Chairman.*] You cannot state at all as to how the documents are made available to those who want them for the purposes of legal proceedings?—No.

5073. You state that the commission has worked well, without reference to anything it has done for the convenience of the suitors in the courts of law?—Of course, I have never had occasion to go for any such purpose.

5074. You think that the selection of publications has been well made by the commissioners?—I think they are going on extremely well in their selections; and I only hope we shall have more of their works.

5075. Do you think it desirable that publications should be carried on in preference to arrangement?—I think you may be doing both at the same time.

5076. Suppose there is a limited amount of funds; take an instance, do you think it better that the commission should have published a volume of select rolls, than that they should have arranged the documents in the Mews, or that they should have rendered legal documents available to the suitors in courts of law?—Of course the commissioners have exercised their own judgment as to their proceedings, and they are best able to answer that themselves; I like both operations to go on together.

5077. They have exercised their discretion; do you think it has been a sound one?—I cannot undertake, without knowing all the circumstances, to give a more positive answer than I have already done. I should be sorry to see the publications suspended till the records are all arranged in all the offices.

Hudson Gurney, Esq., called in; and Examined.

Hudson Gurney, Esq.

5078. The Right Hon. *C. W. Williams Wynn.*] YOU are one of the vice-presidents of the Society of Antiquaries?—I am.

5079. Have you employed your time much in historical studies, and particularly with respect to topography, genealogy, and family history?—In idleness; loosely.

5080. Will you describe the particular bent of your studies?—I find that a question that it is almost impossible to answer: I have, indeed, answered it in two words; I cannot come nearer. I have wasted many hours to no particular purpose, other than amusing myself in reading history, general, local and personal.

5081. Are you acquainted with the publications of the Record Commission?—Loosely and generally.

5082. Have you found them useful in your inquiries?—I should say of the first necessity, as books of reference; as giving the clue to researches.

5083. What is your opinion of the character of those publications in general, with respect to English history?—I am hardly competent to answer the question as to the value of each particular work; but I should think many or most of them of the greatest possible utility, and, indeed, necessity, to any one engaged in researches into the general or constitutional History of England.

5084. I particularly direct your attention to the publication of the Parliamentary Writs; are you well acquainted with that work?—I am acquainted with it.

5085. What is your opinion as to the information conveyed by it?—I consider it to contain an immense mine of historical information.

5086. Do you conceive that the former publication, by Prynne, in any respect rendered that publication unnecessary?—I consider the publication of Prynne to be singularly imperfect; that of Brown Willis perhaps to supply in some degree the deficiencies of Prynne; but at the same time that neither of them had at all superseded the necessity of another publication. Indeed I consider the two publications of Prynne and Brown Willis to be so entirely of a different nature

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to the Parliamentary Writs, as edited by Sir Francis Palgrave, as hardly to bear upon the question of the utility of that work.

5087. What is your opinion as to the accuracy and completeness of Prynne's work upon the Parliamentary Writs?—That nothing can be possibly more incomplete; as to its accuracy, my own inaccuracy is so great I do not attempt to judge of it.

5088. What is your opinion as to the utility of the Alphabetical Digest that accompanies Sir Francis Palgrave's work?—I consider, to all persons engaged in such researches, it is of the greatest possible convenience.

5089. Have you formed any opinion as to the constitution of the Record Board; the manner in which it is constituted?—I should certainly consider that, in the main, the original constitution of the Record Board was the best that could have been taken, namely, men of high official station as commissioners, and men of eminence to be employed under them as sub-commissioners, paid partly by salary and partly for labour performed.

5089*. Do you consider it advantageous that the principal commissioners should be of the same description, and be unpaid?—I certainly do so; and I do it for this reason, that if you have the same class of persons as commissioners as those who are alone competent to the execution of the works, I think that you would have persons who by being constantly employed in any one given pursuit, would attach to that pursuit undue importance; and that in having commissioners of the class which you have at present, (persons at the heads of the departments of the state, and of the law), you have those who would be much better judges, and who would have a much larger view of what would be most useful for the Commissioners of Records to order the publication of.

5090. Judging from the works of the commissioners, and other circumstances that have come to your knowledge, what is your opinion of the constitution of the board, and the manner in which it has executed the trust reposed in it?—My knowledge of the works of the board, and the manner of its present constitution is so extremely imperfect, it is a question that it is beyond me to answer.

5091. Have you formed any opinion as to the rate of remuneration which persons devoting themselves to record publications ought to receive, particularly with respect to the salaries they might obtain in other professions or businesses?—It is a question I am perfectly incompetent to answer; of course in all professions there is a very great diversity in the rate of payment; and that diversity in the rate of payment depends, I imagine, generally to a certain degree upon the labour performed, but also much upon the intelligence required in the performance of the duty.

5092. Sir *Robert H. Inglis.*] What is the ordinary salary of the superior clerks in a banking-house?—I cannot tell you.

5093. In a brewery?—I do not know. I imagine there is that diversity that I am perfectly unable to answer the question; of course, where there is very great confidence, and where there is direction, there is a very different rate of payment to where there is merely clerical labour or common attendance.

5094. Have you reason to think, from anything you know of the sums received by gentlemen who have devoted themselves to records, that they have received a larger sum in any shape, either as salary or for work and labour done, than they ought fairly to have expected to have received if they had dedicated themselves to any profession or pursuit in which gentlemen could have been engaged?—I should certainly conceive that the sums they have received would be less than those received by any one prospering in any other profession.

5095. You have been asked as to the utility, so far as you can give an opinion upon the fact, of the Alphabetical Digest appended to the Parliamentary Writs; will you state to the Committee what is your opinion of the aggregate works, the Digest and the Writs, to the student in constitutional history?—As works of very great labour, and extreme convenience in every respect, excepting in the size of the volumes in which they have been printed.

5096. Do you think that work ought to be resumed, and continued; and, if so, down to what period do you think it ought to be continued?—I should be very glad to see it continued; but I am not able to answer the question.

5097. Is there any break in the constitutional history of England, which you would consider as a fair point at which the publication of the work in question might terminate?—I am not competent to give an opinion; perhaps there was a great change in the constitution of England in the reign of Richard the Second, when

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when the Act of 5 Rich. 2, c. 4, finally fixed the composition of Parliament; but the further, in some shape, these works could be carried on, the more useful they would be; and I must certainly say, that the Parliamentary Writs ought to be carried on to the present time, in some way or other.

5098. But, on the scale on which it is carried on, would you recommend that it should be resumed and brought down to the close of the reign of Henry the Seventh, or any other period that might occur to you as preferable?—I should be very glad to see a work of that nature continued as long as it could be continued; but I am not competent at all to give an opinion.

5099. Sir *Charles Lemon.*] You were speaking, just now, of the inconvenience that would result from the tendency of paid commissioners to follow one line of inquiry in preference to another; if the commission was fairly appointed, and consisted of three or four persons, would not the tendency of one be corrected by the other commissioners?—I think not; and I think not for this reason: for unity of design and unity of execution, be it in whatever it may, there must always be one person, or one or two persons, who are the principal directors. It does not signify how you constitute the board, the real effective direction will fall into one or few hands; and it seems to me, having the high officers of State as you have at present, and the high authorities of the law, and persons whose position in the world gives them an enlarged view, as well as their professional situation a great degree of accuracy of knowledge, you would have it a great deal better in check under such a body than under any two or three paid commissioners, who would be each pulling their own way, and probably every one of them have their own favourite object of pursuit; so that you would diminish the control which you possess from the members of a board constituted, as at present, of distinguished persons.

5100. Does not it occur to you that the increased responsibility on the part of paid commissioners, would be a greater security to the public against a man indulging his own propensities, whatever they might be?—No, I think not; I think the paid commissioner would be thinking of earning his pay in his own trade.

5101. What is your opinion of the mode in which the records are kept now?—I ought to say I have no knowledge; but my impression is that the records of the country are in a state in which many of them must be in very great danger of destruction.

5102. Is it your opinion that the custody is sufficient?—I am unable to state.

5103. Or that the superintendence on the part of the board is sufficient?—I have no means of knowing.

5104. Do you not think on the part of the paid commissioners the superintendence would be more direct and effective?—I consider that the superintendence, if superintendence there be, must in either the one case or the other, be in the officers under the board

5105. Do you not think that those officers themselves would be more closely watched in the discharge of their duties, if they were under the control of responsible and paid commissioners?—I greatly doubt it.

5106. The Right Hon. *C. W. Williams Wynn.*] Are you of opinion that there would be sufficient employment to occupy the time of paid commissioners, without their interfering, to an inconvenient and prejudicial degree, with the details of the work of an editor?—To the first part of that question I really must refer to the Right Honourable Gentleman who asks it, because, being a commissioner, he would know the fact, of which I am entirely ignorant. To the other part, I have stated before that I think a board of paid commissioners interfering with everything, would be the worst possible arrangement for the public service; but, as I stated at the beginning, I am able to give but very loose evidence, because all my acquaintance with these things has been in the way of amusement rather than business, and not in the composition of any specific work, or in the exercise of any profession.

The Rev. *Edward Groves*, called in; and Examined.

Rev. *Edward Groves.*

5107. Sir *Charles Lemon.*] HAVE your pursuits led you to inquire into the state of the public records in Ireland?—They have; I was a sub-commissioner of the public records in Ireland, from the year 1814 to 1830, when the com-

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mission closed; and I have since been engaged in making searches among the records in Ireland, and to a certain degree here.

5108. Was it part of your duty to examine into the state of the public record offices in Ireland?—Not specifically my duty; that was more the business of the secretary of the commission; but of course, circumstanced as I was, the state of the different offices there came very frequently under my cognizance.

5109. Will you have the goodness to name some of those offices?—There are four principal depositories for records; one in Dublin Castle, which contains the Parliamentary Records and State Papers, and the records connected with the population of Ireland; those are the principal records in Dublin Castle. The Four Courts of justice have most of the legal records.

5110. The Right Hon. *C. W. Williams Wynn.*] From what date?—Some of the very oldest legal records are at Dublin Castle; I think to the end of the reign of Richard the 2d; they were transferred there to make room for the modern records in the courts of justice, but the rest from that period are chiefly in the Four Courts. The third place of records is the King's Inns, where the ecclesiastical records and the registry of deeds, which commences in the year 1711, and is carried down to the present time, are kept. There is a fourth, a newly-formed repository of records, connected with the Crown property, which were kept in Dublin Castle, under the charge of the auditor-general, who afterwards had the title of vice-treasurer; and now the records that were there have been transferred to the Custom-house at Dublin, and put partly in charge of the vice-treasurer and partly in that of the Board of Woods and Forests: those are the four principal repositories.

5111. Sir *Charles Lemon.*] What is the character of the records in the last place?—They are connected with the Crown property. In consequence of the Act of Settlement, all the property in Ireland was bound to pay a quit-rent to the Crown; and its collection has been transferred to the Office of Woods and Forests.

5112. What is the state of the records in those offices?—The state of the records in general now is very good; they were in a state of deplorable confusion and negligence until the formation of the Irish Record Commission in 1810, insomuch so that the officer in some of the offices had to walk over a part of the records on the floor to get at those they were in search of; they are now, in most of the offices, very regular.

5113. Are these calendars sufficient to enable you to discover any record you require?—No, the calendars are insufficient; I think the great defect in the Irish Records is the want of proper calendars and repertories to come to a knowledge of them. To the Chancery Records there have been partial calendars made of the documents therein, Inquisitiones Post Mortem, and the early Patent Rolls; and calendars have been made to the Inquisitions of Leinster and Ulster, and the consequence is, that searches there are very easily made, and very satisfactory; the commission was proceeding with the others when it was closed. There is also a calendar made of the grants under the Act of Settlement, printed by the commissioners, which is in constant reference by legal persons and suitors.

5114. Have any steps been taken by the commissioners to supply the defect of the calendars?—That was the great object of the commissioners; they published three volumes of reports; the first contained a general statement of all the depositories in Ireland, with a very short summary of their contents; the second volume contained a more particular account of the contents of some of the great depositories, particularly the Chancery, the Exchequer, and State Papers; and the third volume entered more particularly into the contents of some of these depositories.

5115. But still, with all those publications, you consider there is a want of books of reference?—Yes.

5116. The Right Hon. *C. W. Williams Wynn.*] What other publications have emanated from that Record Commission?—There is a list of the publications that have been completed.

[*Handing in a paper.*]

5117. Sir *Charles Lemon.*] Amongst those works, were there any original works published?—No; two works of a substantive nature were commenced; one was an authentic edition of the Acts of the Irish Parliament, similar to that which had been printed for England and Scotland; it was prepared with great accuracy for the press; it underwent a triple collation: we have a document connected

nected with the Acts of Parliament, called a Transmiss; and the sub-commissioner appointed to that duty compared the Statute Roll in Chancery with the Parliamentary Rolls, and also with the Transmiss, and prepared a copy from that for the press, from the earliest period down to the Union; and a fair transcript was made of it for that purpose; but it was not printed, the commissioners were deterred by the expense.

5118. The Right Hon. *C. W. Williams Wynn.*] Were not there other works printed by the authority of the commission?—No, there were other works in progress of printing. I have spoken of the statutes; there was a collection of charters of the cities, towns, and corporate bodies in progress of printing; that was carried down to the reign of Richard 2, when it was stopped; that was a substantive work also: all the others were works of reference.

5119. Sir *Charles Lemon.*] In what state was that work when stopped; was it in the press, any part of it?—Yes; about from 10 to 20 sheets; I cannot speak accurately from recollection now; about one-fourth of the whole might have been printed. It was a work that was found to be so necessary for the commissioners who were inquiring into the corporate towns in Ireland lately, that they were obliged to have recourse to the gentlemen in the Record Commission to assist them in their references to it, in consequence of the work not being completed.

5120. The Right Hon. *C. W. Williams Wynn.*] Was there any other work in progress?—Yes; the commissioners proposed printing a calendar of the Patent Rolls of Chancery, of which you see one part is mentioned in the paper handed in as being perfect, which goes down to the end of the reign of Henry 7; it was then intended to be continued on, at least, to the Revolution, and was put into the hands of two sub-commissioners, one of whom was to carry it forward to the end of Elizabeth, and the other to the reign of Charles 1 and James 1; the volume between Henry 7 and Elizabeth was merely commenced; I believe there were about three or four sheets printed—that portion of it commencing with James 1; it was printed to about two-thirds of a volume; there is a copy of the printed part in the Rolls-office in Chancery, which is in constant reference, though its utility is very much diminished from the want of an index, that would have been the last part printed; but the printed copy, defective as it is, is in constant reference by the Keeper of the Rolls, as it facilitates his inquiries.

5121. No part of the Acts of Parliament have been printed?—No.

5122. Has any other work been printed?—None but the two provinces of the Inquisitions, already mentioned. There are two sets of Inquisitiones Post Mortem, one in the Exchequer, and the other in the Chancery. Those latter, which have been printed, for Leinster and Ulster. The manuscript is all prepared for the other provinces, and for those in the Exchequer; and that for Munster was preparing for the press, when the commission was closed; so that the Inquisitions of Munster and Connaught, and the whole of the Inquisitions of Ireland, which are kept in the Exchequer, are unpublished, though prepared for the press.

5123. Sir *Robert H. Inglis.*] In the Irish Inquisitiones Post Mortem are the names of the heirs stated?—Yes.

5124. You consider that an important addition to the value of such a work as a book of reference?—Yes; the names of the lands, the names of the persons, the name of the heir, and his connexion with the party.

5125. The Right Hon. *C. W. Williams Wynn.*] Was the Liber Hibernæ printed under the authority of the commission?—It was commenced under their authority; there was a very valuable set of books, a Repertory to the Chancery Documents, made by Mr. Lodge, who had been Deputy Keeper of the Rolls; after his death the books were purchased by the Government, and a pension given to his wife for them; they were kept in Dublin Castle; and they were handed over to the Record Commissioners, at the commencement of the commission, to make what use they thought best of them; and amongst those was an account of all the public offices which he had cognizance of in his official capacity in the Court of Chancery, by patent or otherwise; he had formed a repertory to them. It commenced from the earliest period, and was carried down to his death; but it is confined to the documents in Chancery. It was resolved by the board to continue this work, to make it as complete as possible, and carry it down to the present time, or to a very late period. Some difference as to the mode of conducting the work took place with the gentleman to whom it was entrusted, in consequence of which it was removed by him to London, and printed here,

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under the authority of Mr. Goulburn, as I understand, when Chancellor of the Exchequer.

5126. What you have described is of the nature of Beatson's Political Index? —Yes, that was the sort of book proposed to be published by the Commissioners of the Records.

5127. Does it contain much additional information to what is in Beatson's Political Index?—The work as it now stands does contain a great deal more.

5128. Of what nature?—I cannot speak specifically; it is a book that has been printed but not published, and it is not very easy to get access to it; I can only speak positively to the object of the publication by the Board of Record themselves, which was to make a book similar to Beatson's Index.

5129. And this is printed in the largest folio?—In the same size that all the record works were printed, large folio.

5130. You are not then cognizant of the other contents of the work?—Not so as to speak positively of them.

5131. Does not it contain a new edition of Captain Rock?—I believe there are extracts from Captain Rock; it commences with the history of Ireland down to the Union; I forget whether it is continued beyond that period; and there is a kind of supplement or illustrations extracted from Hardy's Life of Lord Charlemont, and I think from the Memoirs of Captain Rock.

5132. Is there not also a pamphlet, published in the year 1807, upon the state of Ireland, supposed to be written by Mr. Croker?—Yes.

5133. *Chairman.*] Do you not think that such works as you have mentioned throw some light upon the history of Ireland?—No doubt everything that refers to history throws light upon it; the question is a question of time and expense; the work was spoken of in the Record Commission, and the secretary was very anxious to have a work something of the same nature; it was discussed there, and there was a kind of prospectus drawn up (of which I have the manuscript, but not here with me), with the remarks of the different gentlemen inclined to take part in it. When the secretary came over here with an annual Report of the Commissioners, he consulted The Speaker of the House of Commons, at that time Mr. Abbott, who was very anxious about records; and his answer was that the work might be a very good one, but he did not think that the House of Commons should make themselves publishers; and it was dropped. The original plan of making a repertory to the offices of Ireland was adhered to.

5134. Sir *Charles Lemon.*] You were speaking just now of the state of these record offices; are the documents there easily accessible to the public? —Yes, they are.

5135. And with respect to the fees?—There is some reason to complain of the fees, they are very unequal in different offices. I have taken a short memorandum of the fees charged when I was taking out copies of records; and I find in one office the registry of deeds—a copy of 16 sheets, I paid 9*s.* 6*d.* for; in the Prerogative, for a copy of 13 sheets, 10*s.*; in the Rolls, 12 sheets, 9*s.* 8¼*d.*; in the Chief Remembrancer's-office, 17 sheets, 17*s.* 6*d.*; the Vice-Treasurer's-office, eight sheets, 1*l.* 9*s.* 4*d.*; so that the fees there are much greater than those in the other offices. And there is another hardship to suitors: it is necessary in Ireland, when a document is brought forward, if it had been for any time out of the possession of the person who is to prove it, he must recompare it, and have it re-attested by the proper officer; and the general rule for re-attesting it, which consists of the officer signing his name to it, is the payment of half fees; and therefore, for one document I took out of the Vice-Treasurer's office for a suit going on here, I paid 10*l.* 1*s.*; and for re-attesting I paid 5*l.* 0*s.* 6*d.*, which I think a hardship. Here is the statement of the fees (*handing in a paper*) I paid for different documents. The re-attesting in the Registry-office was 1*s.* or 1*s.* 6*d.*

5136. Have you any remarks to make upon the restriction in obtaining copies of those documents; or are sufficient facilities given in copying documents for legal purposes?—Yes, generally speaking; I think there is in one of the offices a deficiency of knowledge of the old record hands. I have been under the necessity of copying records myself, in consequence of the person who has the charge of them not being sufficiently skilful in deciphering them; but that is an exception rather than a general rule.

5137. Besides the ordinary fees of the office, are there any other fees paid for the

the inspection of calendars claimed to be private property?—I think there are; you go to the office and pay 5 *s.* in some offices, and 2 *s.* 4 *d.* in others; in the Chancery, for that you have a right to look through their books and calendars and repertories.

5138. *Chairman.*] Have you any further statement to make to the Committee respecting the Irish records?—No, I think not.

Thomas Stapleton, Esq., F.S.A., called in; and Examined.

5139. Sir *Robert H. Inglis.*] HAVE you been engaged in a course of historical inquiries; and in the prosecution of such inquiries, have you had occasion to make use of the publications of the Record Commission?—I have been engaged in a course of historical inquiry to elucidate the connexion between Normandy and England, by collecting every particular relating to the Anglo-Norman barons, who held baronies by tenure in England, and also fiefs in Normandy, and who, up to the reign of John, were the chief persons of the realm; and I consider that the history of those great barons is in fact a general history of the country, and that any inquiry relating to them will elucidate the general history.

5140. In the course of that inquiry have you had occasion to make great, constant, and frequent use of the commissioners' publications?—I have.

5141. Will you specify the publications of the commission to which you have had more immediate reference?—There is that of the Rotuli Normaniæ, which has a direct bearing upon the subject upon which I am engaged, and which I have been under the necessity of perusing over and over again; it was quite indispensable. Also the early Pipe Rolls, and all those records which are anterior to the 6th of John, when the connexion with Normandy ceased, by the conquest of Philip Augustus.

5142. *Chairman.*] Are there any other publications to which you have referred?—There are the Close Rolls and Patent Rolls where they relate to sufficiently early a period.

5143. Sir *Robert H. Inglis.*] Have you found that those works were of essential importance to you?—Yes; it would otherwise be impossible for me to accomplish what I have undertaken to do. I have been over the several archives in Normandy, at Caen, Rouen, St. Lo, and the Hotel Soubise at Paris.

5144. Have you such an acquaintance with the great mass of the records in this country as to enable you to say that the selection made in respect of the publications during the last 30 years, under the successive commissions, has been judicious or otherwise?—I should say the most judicious possible; because they begin with the earliest record of the series; and if anything can be learnt respecting that early period upon which there is less general information to be gathered, the publishing the records entire is, I should say, the most judicious possible manner of performing their duties.

5145. Does your acquaintance with the general course of historical inquiry enable you to say whether you think it has been influenced beneficially by the labours prosecuted under the authority of the commission?—I should say, certainly.

5146. Without undervaluing any other object to which the attention of the commissioners might be directed, do you or do you not consider that they have exercised a sound discretion, [they, and their predecessors under former commissions], in publishing the series of works exhibited as the record publications of England?—I think the publications of the Record Commission of late years are a great improvement upon those of former years; they have been produced with very great rapidity. The only way we have of judging of the efficiency of the commissioners is, from seeing the quantity published; there have been three or four volumes published in the course of a few months.

5147. What is your opinion of the accuracy with which the great mass of those works have been produced?—I think the late ones have been extremely accurate. I am very well acquainted with records; I know the hand, and am now engaged in editing a record for the Society of Antiquaries. I know the difficulty in reading and collating them. Taking all that into consideration, I will say that what they have done has been done extremely well. But I refer to those of late years. I do not think that the calendars of the Inquisitions, or the Abbreviatio Placitorum were well done; they are, however, mere calendars, and not substantive

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stantive works; the publishing the record entire is the great excellence of the more recent works of the commission.

5148. With what period would you begin those works to which you attach the greatest importance?—The Pipe Rolls are most important; they give you the clearest view of the state of the country in regard to its jurisprudence, as they contain the return of every sheriff. I do not think that any publication could be of more importance. They might be published entire for the first years; and when they get too voluminous, as they do in the time of John, you should find some gentleman of great literary eminence, acquainted with topography, and who could look over and see that the selections were properly made: it would not do to entrust them to an editor who could only read the handwriting.

5149. Did the course of your inquiries lead you to refer much to the edition of the Parliamentary Writs, published by Sir Francis Palgrave?—Yes; I have made some parochial collections with regard to parishes in Yorkshire, which I am connected with by circumstances of property and family, and in the course of those researches I have had occasion to make use of Sir Francis Palgrave's book, and I should call it a perfect work. I do not, however, say that it would not have been desirable to give a larger quantity of original matter for the sum of money the work cost, the digest taking up the greater part of the volume; but as a work, setting aside the question of cost, in the supposition that you have abundance of funds, it is perfect as far as the arrangement of the materials goes.

5150. What is your opinion of the Alphabetical Digest to which you have referred, as appended to these Parliamentary Writs?—I think when a person is making these researches he does not require all those facilities; the antiquarian is generally actuated by zeal sufficient to make him willingly put up with some degree of labour.

5151. And the fault consists in the extraordinary facility which such Alphabetical Digest affords to the inquirer?—Yes, inasmuch as it is superfluous.

5152. What is your opinion of the expediency of continuing the publication of the Parliamentary Writs; and, if you regard it as expedient to be continued, can you state to the Committee any period down to which you would consider its continuation to be specially desirable?—It is most desirable that it should be continued, leaving out the Alphabetical Digest. It is sufficient to have an index of persons and places; and it might well be continued down to the reign of Henry 7, or even later.

5153. Do you think that the publications of the Record Commissioners generally have or have not had a tendency to diffuse a knowledge of historical literature in this country?—Yes, certainly, a great tendency.

5154. *Chairman.*] Among whom, and how?—Amongst all persons that take an interest in the early feudal customs and manners of the people, in the modes of assessment of taxes, and in the creation of the revenue; and, in fine, in all those sorts of inquiries very necessary for an historian.

5155. When you say these works have had a tendency to diffuse that knowledge, among how many people has it diffused it?—I cannot say how many people devote their attention to it, but it is a growing study among the people; you can see that by the penny magazines, which are frequently publishing something relating to archæology.

5156. Do you think that that turn in the penny magazines is to be attributed to the publications of the Record Commission?—Yes.

5157. That the people who inserted those articles in the penny magazines had taken them from the works of the Commissioners?—Yes, directly; I should think.

5158. You consulted the Norman Rolls, and some other works?—Yes.

5159. In France you consulted others?—Yes.

5160. Were the French works you consulted printed?—No.

5161. Where did you consult them?—In the archives at Rouen.

5162. Did you find any difficulty of access to them?—No, none whatever; but there is no arrangement, nor any catalogue. I chiefly examined the muniments of the monastic bodies, and they were merely put together, and lettered such and such an abbey; but they are all in a heap, in boxes or bundles.

5163. If the Norman Roll had been made easy of access in the original, I need not ask you whether you could have read it?—Yes, perfectly.

5164. What would have been the difficulty if it had been in a convenient building, and perfectly accessible, in your reading it there?—None, except as to a voluminous roll of that sort, you cannot be supposed to wade through it for

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the mere purpose of finding out what it may contain, when you have nothing to guide you to any particular part, and can only guess at its contents.

5165. Do you not think that a zealous antiquarian would undertake that labour?—Not a series of Pipe Rolls. I hope you have seen one; there are 18 or 20 membranes, each about five feet long.

5166. Do you not think if transcripts were made of them, that they would afford all the assistance that the antiquarian requires?—Not without a particular index of persons and places.

5167. Supposing, instead of having those volumes printed, and giving so much to people to edit them, you had these rolls transcribed in a shape in which it was easy to read them, and they were placed among the public records in the country, would not historians then have every access to them?—No doubt.

5168. What appears to you to be the utility of printing those records which are referred to by very few people, who could as easily consult them at a public repository?—I think that the few competent to judge are always to be preferred to the many who are ignorant of these matters, in all literary questions; and they know the utility of publishing these records.

5169. The question is as to the expenditure of public money; do you think that this money should be expended for the advantage of a very few people?—We look to the educated part of the community in preference to any other, and it is for their benefit.

5170. You think the public money should be spent for the benefit of the educated?—Yes.

5171. As a general principle?—Yes, in questions of this kind; you are not supposed to be printing them for the benefit of labourers.

5172. Sir *Robert H. Inglis.*] The whole question having reference to works to be conducted by a commission of the present kind, or some other public authority, in reference to matters of law and history, and the constitutional archæology of the country?—Yes, certainly.

5173. *Chairman.*] These are works which you say after all are available to very few; I wanted to know whether you thought that the convenience to those few was such as to justify the expenditure of the sum of money which was requisite?—I should say, certainly; if you are to go upon the mere question of numbers you can do nothing.

5174. You admit that the public money ought to be spent for the benefit of the public at large?—Yes.

5175. Is it of such public importance that a few antiquarians should have a little more or less ease that the expense should be gone to?—Yes, I think so individually; and it is a question of political economy, inasmuch as it aids the spread of general instruction.

5176. You think, individually, that the convenience of the antiquarians ought to be consulted at the expense of the public?—Yes, I think it is a very proper expenditure of public money; and, if it is an object to add to our numbers, I think it will have that effect.

5177. In what way did you consult the printed works of the commission; did you purchase them?—Yes, I purchased all I have; all the late publications.

5178. Is not that a very considerable expense?—£.12. or 14 *l.*

5179. For the whole?—What I have purchased are the octavos; I did not purchase the Doomsday, or the large folios.

5180. Sir *Robert H. Inglis.*] You have given an opinion in favour of the publications of the Record Commission, assuming the intrinsic value; have you reason to think that the commercial value is such, in the present state of the book-market in England, that any individual bookseller would have, as a speculation, sufficient encouragement to undertake it?—Certainly not; and I do not see how it is possible for any individuals to publish records, (which I should have been anxious to have done as to the Norman Rolls,) and cover his expenses at the same time; you might by personal favour, and getting a subscription, secure yourself beforehand; but as an ordinary speculation you could not.

5181. Have not other nations printed, at the public expense, the records of their respective countries?—The records at Caen were all sorted by Monsieur D'Anisy, and he printed a catalogue of them; but that was done at the expense of the Society of Antiquaries.

5182. Does the experience of that individual at Caen, to whom you have referred, justify you in applying to the case of France the opinion you have

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expressed in regard to England, that the publication of records would not answer as a matter of individual speculation?—Exactly so; and still the publication of it shows that in other countries, as well as in this, the publication of records is thought a matter of great importance.

5183. *Chairman.*] But it shows also that the publication is carried on without the aid of the government?—It does in this instance.

5184. Sir *Robert H. Inglis.*] Have you reason to think, looking at the size of the work to which you have referred the Committee, that there would be found in the same country an equal supply of zeal and money to carry on the publication of works of an analogous character, and corresponding in size with the record publications of England?—No, not to that extent; nothing of the kind.

5185. What is the extent of all the records which have ever been printed by the Society of Antiquaries in London, contradistinguishing the records from the miscellaneous papers inserted in the Archæologia?—I only know the Wardrobe Accounts and the Household Accounts of Edward 3.

5186. And that in the period of the last 40 years?—Yes, they were edited by Mr. Topham, in 1787.

5187. *Chairman.*] The Society of Antiquaries has not expended its funds in publishing records, but in publishing other works of general interest?—At the present moment it has commissioned myself to edit the Norman Rolls; therefore, at the present moment they are expending their funds in the publication of records, acting upon the precedent of the Wardrobe Accounts.

5188. So that though they expend some money upon the publication of records, the greater mass of their money is expended in works of general interest?—Yes.

5189. Can you speak to the accuracy of the works you have consulted?—Yes.

5190. Sir *Robert H. Inglis.*] When I asked you about the records published by the Society of Antiquaries, did you understand me as referring to them in the strict legal sense of the word, or merely as ancient historical documents?—As historical documents, original documents in Latin or English, in distinction from papers the compositions of members.

5191. *Chairman.*] Have you collated those works with the originals?—No, I have not.

5192. How can you tell that they are correct?—From my local knowledge of the names; and I can generally tell whether there is a solecism.

5193. Could you tell whether the Close Rolls were accurate?—Yes, certainly.

5194. From your local knowledge of Normandy, you could tell whether they are accurately printed?—Yes, most of them are precepts for which there is a running form; the great object is to be accurate in the names of persons and places, and it is by having a local knowledge that you are able to speak to it.

5195. The Rotuli Selecti was one of the works of the present commission?—Yes.

5196. Is that accurate?—No, the sheets are not accurate; but there is a very valuable errata which supplies the deficiencies.

5197. How many pages of errata are there?—Two or three.

5198. Do you think that a good plan of publishing a work?—No; but it shows the diligence of the commissioners; the work had been printed in a hurry, and they did not like to destroy the copies that had been struck off; they employed a competent person to collate it, and printed an errata.

5199. That is an odd way of showing diligence in correcting errors that ought never to have been made?—It might have been to perfect a work that had been printed some time back, when they had a less experienced editor.

5200. Do you know that it is so?—I know that it was put into the hands of another editor.

5201. Do you not know that they were both employed by the present commission?—No, I am not aware of that. When you employ a man you consider him competent, but he will not always turn out to be so.

5202. You speak of this as being a proof of the attention of the commissioners (it is rather an expensive one, and an awkward one), that they employed an incompetent person in the first instance who made great mistakes, and, upon their being pointed out, they corrected them; would it not have been better to have secured the services of a proper editor at the commencement?—Certainly.

5203. Do you know that they took sufficient means of that kind?—They acted upon the usual recommendations, I suppose; the errors, when discovered, were corrected.

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5204. You think that the work was printed in a hurry, and that the errors were discovered and corrected afterwards?—I think it was better to print the work with a list of errata, than to have given it to the public as a correct work.

5205. But when you praise the diligence and attention of the commission, do you not think that diligent and attentive people would have taken pains to secure a good editor in the first instance?—That would have been the better way.

5206. Do you know whether they took proper pains to accomplish that object?—No, I have no means of knowing.

5207. Without having any means of knowing whether they took proper pains to secure a competent editor, it being evident that they employed an incompetent one, you praise them for their diligence?—I praise them for their diligence in correcting the errors, when discovered.

5208. Do you not think, before you praise the diligence of the commissioners, you should inquire whether they showed that diligence in a sufficiently early stage, or whether it came too late?—Yes.

5209. Sir *Robert H. Inglis.*] The last answers have been given with reference to one particular work?—Yes.

5210. A state of things has been assumed in respect to which you have given your answers; are you able of your own knowledge to state to the Committee anything upon the subject?—No, I am not acquainted with the manner or mode of conducting the business of the commission, I merely judge from the book itself.

5211. *Chairman.*] The Chancellor's Roll; do you know whether that is an accurate publication?—I have looked it through, but I cannot speak decisively on that head. I have not paid so much attention to it as to the others, but generally speaking it appears to be a very fair work; there are however a good many errata.

Hudson Gurney, Esq. called in; and further Examined.

Hudson Gurney, Esq.

5212. Sir *Robert H. Inglis.*] DID you hear the answers recently given on the subject of the publications of the Society of Antiquaries?—Yes.

5213. Do you as vice-president concur in the general tenor of those answers, so far as relates to the discretion exercised by the Society of Antiquaries, in having printed what may be called, if not records, historical documents of a somewhat analogous character, namely, the Wardrobe Accounts, in the course of the last 40 years?—I can only state that the Society of Antiquaries has no funds for the publication of records; their funds hardly suffice for the publication of such communications as are made to them; with their accompanying plates.

5214. Is it the fact that in the course of the last 40 years they have exercised a discretion in the publication of not more than three or four documents which can be regarded in any sense as historical records, as distinguished from original communications by living members?—My recollection of the Society of Antiquaries does not go back to 40 years; but I can distinctly state that the society does not profess to publish records; it has no funds for that purpose.

5215. It could not consistently appropriate its funds to that purpose?—It has no funds so to appropriate.

5216. *Chairman*] The Society of Antiquaries expends its own money, and not the public money?—Unquestionably.

5217. Being in that predicament, it has published not records but other works?—Certainly.

5218. Sir *Robert H. Inglis.*] From your experience of the sale of the publications, do you think that it is likely to answer, as a matter of speculation, to an individual bookseller to publish such works, as distinct from the Society of Antiquaries?—I conceive that it would be utterly impossible for any individual bookseller to publish any series of records, such as would be published by the government of a country.

5219. *Chairman.*] Do you say that it would be impossible for a bookseller, as a private speculation, to publish any more information from the records than we have now?—Yes; a bookseller could only print extracts.

5220. Do you think that such a work as Von Raumer's Letters of the 16th and 17th centuries, containing extracts from records, could not be published with a prospect of success?—I mean to say, that a private bookseller will only publish that which will sell, and sell rapidly; and that the Government of the country is bound, or those acting for the Government of the country are bound to publish

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that which is really for the public instruction, and which will not sell; or rather which will sell very slowly.

5221. I ask merely, whether, in your opinion, if the public had free access to the records, works on the plan of Von Raumer's Letters, which are extracts from a great mass of very valuable records, and of a nature to interest the public, would not be published as a private speculation, and sell?—Unquestionably there may be extracts made from records that would sell; but referring the public to the record itself would not answer the purpose, because the public could not read it.

5222. Do you not think that facilities afforded to the public to have such publications prepared for them by men of learning would be very beneficial?—I look upon it that constitutional knowledge, and general knowledge of English history, has been extremely advanced by that which has been done by the Commissioners of Records, and which could not have been done by any individuals whatever.

5223. Do you not think that what has been done by an individual, Von Raumer, or Sir Henry Ellis, in such publications as those, has had a very good effect?—Certainly.

5224. And that it would be desirable to give the public greater facilities for having such works prepared?—I consider it would be a great advantage to have facilities for the compilation of such works; but that nothing has been done so much to augment that facility as the publications of the Commissioners of the Record Board.

5225. Sir *Robert H. Inglis.*] Could the public have greater facilities for the publication of such a work as that of Sir Henry Ellis, to which your attention has been directed; or for the publication of parts of Von Raumer's last book, which has been extracted from the stores in England, than they now at this moment possess?—I presume not.

5226. Did Sir Henry Ellis, in the publication to which reference has been made, exercise the privilege belonging to him as the principal librarian of the British Museum; or did he do that which any other literary man with equal diligence might have had an opportunity of doing?—With equal diligence and equal intelligence. The British Museum was open to every one.

5227. So far as regards the publication of the State Papers from the State Paper-office, a work analogous to the publication of Sir Henry Ellis, and certain parts of Von Raumer, has it had a sale answering to its extrinsic merits?—I consider the two last volumes from the State Paper-office, relating to Ireland, to be what has given us a more perfect view of the situation of that part of the kingdom than we had ever possessed; and I am told that their sale has been extremely limited.

5228. In other words, do you wish the Committee to understand there is a class of literature and a class of legal and archæological knowledge, which it is very desirable to have perpetuated in print, and so laid open to every one, which yet is not likely to answer as a mercantile speculation to any individual publisher or any body of publishers?—Unquestionably I do.

5229. *Chairman.*] Do you think that one of the first duties that a government owes to the people is to print the records?—I consider that one of the first duties that a government owes to its people, after the preservation of internal peace, may be the diffusion of instruction. I consider that the manner in which instruction is at this moment generally diffused is merely by compilations from existing works; and therefore, unless the Government will take upon themselves to publish original and true sources of information, you come constantly to the dilemma, either to rest satisfied with the repetition of error in all which relates to our internal history, or to come to that which appears to some persons to be desirable, the total want of knowledge of anything that has passed in times anterior to our own.

5230. As the Government of this country, after providing for the internal peace, has got 10,000*l.* to spare for the next object, of instructing the people, you think that it should be spent in publishing the ancient records?—I think that, before the people can be instructed, it is necessary to instruct the instructors.

5231. In history alone?—I have said nothing of history alone; I mean that the instruction of the people does not solely consist in multiplying school-books.

5232. The question would be, whether you would not better instruct the instructors by making the records generally accessible than by printing them?—I see no other mode of making them generally accessible than by putting them into print.

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5233. The object being, to make a certain quantity of historical knowledge accessible to the learned man; which is the best way, printing a few works, or making all accessible?—I think you should gradually proceed in both.

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The Rev. *James Morton*, B. D., called in; and Examined.

5234. *Chairman.*] YOU are Vicar of Holbeach, and Prebend of Lincoln?—I am.

Rev. *James Morton*, B.D.

5235. Are you the author of a work called "The Monastic Annals of Teviotdale"?—Yes.

5236. Have you any fact to state to the Committee respecting the sale, for waste-paper, of the publications of the commission?—Yes; in the beginning of the year 1834 I purchased some goods from a grocer and draper in Holbeach, which were sent home wrapped up in printed paper, which drew my attention, from being in Latin and in a type representing the contractions usually found in ancient manuscripts; upon further examination I found it to be a leaf taken out of one of the publications of the Old Record Commission. I went to the grocer, Mr. Hoff, and asked him where he got it; he told me he had bought some hundred weight from a stationer in Aldgate, whose name he mentioned. He showed me several volumes, among which were the 'Valor Ecclesiasticus,' the 'Originalia,' and the 'Inquisitiones Post Mortem;' and he also was so obliging as to send copies to my house, that I might inspect them more at leisure.

5237. Copies of the whole work?—No; the beginnings and ends were torn out; there were no title-pages.

5238. How many pages were torn out?—I cannot say, perhaps five or six.

5239. With that exception were the works perfect?—Yes; I went with the intention of purchasing some of them, if I had found them perfect; but, finding in them the defects I have mentioned, I did not do so.

5240. Did these works appear to have been used?—They had not been soiled or fingered in any way; they appeared perfectly new.

5241. Had they been bound?—No; they had been in boards, but the boards were torn off.

5242. They did not look as if used at all?—No; and the maps were in the Valor Ecclesiasticus.

5243. Where did he say they came from?—From a stationer in Aldgate, whose name he told me, but I have forgotten it.

5244. Did you make any further inquiry about these works?—I intended to make inquiries when I came to town; but when I passed through London about two years ago, on my way to the Continent, it went out of my mind; and I have not been in town again till a fortnight since.

5245. You heard from the grocer he had a hundred weight of them?—I believe he had several hundred weight; they were used in his shop for a long while afterwards, and I do not know that they are yet exhausted; I think I saw some not long ago.

5246. This is the way in which these documents are diffusing historical information all over the country?—It appears so, and I was very sorry to see it.

5247. Sir *Robert H. Inglis.*] Can you state to the Committee at what period of the year this sale took place?—The period of the year when I saw them must have been in January or the beginning of February 1834.

5248. Did the person in whose possession you saw them state to you the name of the party in London from whom he had procured them?—Yes, he did; and I could very easily obtain the name from him*.

5249. Are you aware that within a year of the period to which you have referred, it was resolved to sell the publications which had issued from the press under the former commission?—I had heard something of it.

5250. Are you aware that in the original publication of the works issuing from the press under the Record Commission, 1,500 copies were ordinarily printed?—I was not aware how many copies were printed.

5251. Then

* June 17th. Since this examination took place, I have caused inquiry to be made, and find that the name of the firm in Aldgate, from whom Mr. Hoff purchased the copies in question, is Jones and Wiggins, who perfectly remember the transaction. In confirmation of this evidence they say that they, for their share, bought from Baldwin and Cradock, five tons weight of the publications of the Record Commission; and that a stationer in Lothbury, named Gibbons, bought a much larger quantity.

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5251. Then perhaps you are not aware that the number was subsequently reduced?—No, I was not.

5252. You are not aware that of volume two, for instance, a less number was printed than of volume one?—No.

5253. You cannot state to the Committee how far the works you saw were "wasted," to use a technical phrase, on account of there being necessarily a larger number of one volume than of the remaining?—No, I cannot.

5254. You cannot state how many of those works have been printed, or whether it was the first or the second volume?—No. I had no desire to have the volumes in my possession, as they did not bear upon my pursuits at the time; therefore when Mr. Hoff, out of civility, sent them to me, I did not examine them minutely. They formed a pile, reaching from the seat of the chair on which they happened to be placed above the back.

5255. *Chairman.*] Was the Valor complete?—I cannot say; there were leaves torn out.

5256 Was the Originalia perfect?—No; it also had lost leaves in the same way.

5257. Sir *Robert H. Inglis.*] You do not know whether they had been "wasted" in consequence of their having been in that state before they left London?—That I cannot say.

Sir *Francis Palgrave*, called in; and further Examined.

Sir *F. Palgrave.*

5258. Sir *Robert H. Inglis.*] HAVE you been in the practice of consulting and advising with the Commissioners on the progress of your works, so as to obtain their opinions and assistance?—Very much, from the first beginning of the commission to the present time.

5259. What assistance have you obtained; and from whom?—I have had assistance in every way in which a sub-commissioner could receive it from chief commissioners. The individuals from whom I have received that assistance were, or are, Lord Canterbury (the late Speaker), the late Lord Redesdale, the Right Hon. Charles Williams Wynn, the late Sir James Mackintosh, Mr. John Allen, Mr. Bellenden Ker, Mr. Protheroe, and Mr. Utterson; and I have received assistance from those individuals in various capacities. When I was first appointed, Lord Canterbury sent for me, and examined me very much upon the nature of my work and plan. He entered very much into it, and he understood the subject as a scholar and a gentleman: I was always much struck with his clear and scholarlike views upon what may be called the literature of records. It was also my practice, previously to the general meetings of the board, to prepare reports; of which I used to send copies to those commissioners who took an interest in the publications. One of these copies I always sent to Lord Canterbury; and I always used to attend him, before the meetings of the board, so as to prepare myself to give an answer to any question that might be put to me. During the subsistence of the old board I always used to attend at The Speaker's house upon the annual meeting, and if anything occurred that required explanation I was called in by the board. When it was proposed to proceed to publish the Parliamentary Writs I prepared various specimens of the text of works, and of the Digests and Calendars; those were submitted to The Speaker, and he selected those which he thought most advisable. Throughout the whole existence of that commission, when any questions or difficulties arose, I was in the habit of applying to him for directions or advice, and I always found him most ready to attend to me. Lord Redesdale took a very active interest in the publications of the commission. He had many doubts at first as to the publication of the Rolls of Parliament, and the Parliamentary Writs; and I was repeatedly in the habit of attending him, upon his request: he investigated the contents, and discussed the matter frequently, both *vivâ voce* and in writing. He corresponded very extensively with me upon the subject; and I have now many letters written by him concerning the publications upon which I was engaged. With the Right Hon. Charles Williams Wynn I have been in constant communication; and I believe that, from the time I was appointed, scarcely any one month has elapsed, when he has been in town, when I have not had interviews with him upon subjects relating to my publications, and upon which I have taken his opinion; and also very particularly with respect to the Parliamentary Writs, in consequence of his very great knowledge of Parliamentary matters. He has always taken a warm interest in the proceedings of the commission, sparing neither time

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nor trouble, nor exertion. With Mr. John Allen I have also been in very constant communication; no work which I have published since he became a commissioner has been undertaken except under his examination; he has very kindly, and most ably, given me his assistance and opinion upon all historical subjects; and upon those points his correspondence with me is of very great value in an historical point of view, for whenever any question has arisen upon the publications, or upon the facts that they disclosed, he has given me his opinion upon it. I send him proof sheets for inspection when any point of difficulty or curiosity arises.

5260. Did the late Sir James Mackintosh enter into similar communications with you?—Yes; in a general manner, but not in detail. My works embrace a period anterior to his favourite points of inquiry; though I had a great deal of general good advice from him, still he did not give me that assistance which persons long accustomed to antiquarian inquiries, in the strict sense of the term, would do.

5261. Did you have similar communications with Mr. Hallam, another of the commissioners?—With him not much. I have had general conversations with him upon the character that my publications ought to assume; I have sometimes heard his opinions, but I have not been in the habit of sending him proof sheets.

5262. Has Lord Aberdeen, another of the commissioners, taken any special interest in the works which, under the authority of the commission, you have carried on?—Lord Aberdeen has not interfered since the formation of the New Commission. I do not think he has ever taken his seat under it; but, under the Old Commission, I received a great deal of very valuable assistance from him, not in the way of minute inquiry, but as to the general management and conduct of the work. I should say that his advice has always been of considerable use to me; and he was one of the commissioners with whom I used to consult before the sittings of the board.

5263. You consider that the commissioners you have named are persons who have contributed to the efficacy of the works published under the authority of the commission, so far as your own personal communication extends?—All in their several degrees, but very particularly Mr. Williams Wynn and Mr. John Allen; Mr. Bellenden Ker and Mr. Utterson, both of whom are gentlemen well acquainted with art and antiquities in general, have been of considerable use to me since the New Commission, in advising upon the artists for the works; and Mr. Utterson also in directing in what manner the more valuable documents in the Chapter-house should be preserved; Mr. Protheroe has very frequently called upon me and inspected the binding, and given me his opinions upon the general management of my official affairs.

5264. Are you acquainted with the several works published under the authority of the commission, by the other gentlemen employed by them?—I believe I am acquainted with all of them.

5265. What is your opinion of their utility?—I should say that, to give an opinion of their utility you must take them in the mass; and, altogether, they disclose a mass of information, which, with all its faults, is perfectly unrivalled in literature as a collection of documents, as illustrating the particular history of a country. With the exception of what has been recently done in France, I am pretty well acquainted with all the historical and palæographical works of other nations, and I am not aware that any one of them has produced any set of works, of the same nature and character, that can be at all compared to them.

5266. Generally speaking, do you think that those who have had the management of the affairs under the Record Commission have exercised a sound discretion in the selection of works to be published, and in the selection of the gentlemen to whom the task of editing those works has been confided?—That answer must be given with some qualification: I consider that in most instances (not all) they have exercised a sound discretion according to the information which they possessed, or which they could possess, acquire, or could have acquired at the time of the publication of the works.

5267. With respect to the latter clause of the question, the choice of editors; generally speaking, do you think that those who have managed the affairs of the commission have exercised a sound discretion in the choice of the gentlemen to whom they have confided the execution of the works?—Yes, with the same qualification I stated before. According to the knowledge they had or could possess. Gentlemen in their situation must rest on the information which they

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receive from others, or upon general character. With every care, they may occasionally be mistaken.

5268. Do you consider that the works which have been published under the authority of the commission, are works which could have been undertaken by booksellers as matters of private speculation, or by associated booksellers?—Certainly not.

5269. If it were desirable that they should be printed at all, is it your opinion that they must have been printed at the public expense?—They could not have been printed in any other manner.

5270. Do you approve of the plan of printing with the contractions?—Yes, I do, and that after very deliberate consideration; because, by printing in contractions, you remove almost all the detriment that may arise from the inaccuracy of transcribers or editors; if the work is printed in contractions, although the transcriber or editor himself may not have been able to read the word, still anybody who is in the slightest degree conversant with record publications, or who can have any interest in using them, can upon perusal correct the errors of the press with almost as much safety as if he had the record before him; and therefore, although in many publications of the Record Commission, there are errors of names of persons and places, and in some instances of words in the text, yet, speaking of my own knowledge, I can state that I have never yet found an error that I could not very often, say in 99 cases out of 100, have corrected without referring to the original record; but when you print *in extenso*, those advantages are lost. I will quote a very curious instance of an error in the original Rymer. There is in the Chapter-house a document by which Bruce, the Steward of Scotland, and others, submitted after their rebellion to the authority of Edward 1; and in the printed Rymer it ends with these words, in French, *escrit à Sire* William. In consequence of this colophon, Lord Hales, and all the other writers on Scottish history, have concluded that this submission was notified to Sir William Wallace, in order that he might avail himself of it. Rymer, I must inform the Committee, is printed *in extenso*, and not in contractions. Now, in the original document, the word which he has read, when extended, as "Sire William," is the word Irewin or Irwin; but he, by mistaking the tail of the I for an S, and supposing that the *i* and *n*, which are formed by parallel strokes, were an *m*, he has extended the whole into "Sire William;" but if he had printed diplomatically, with contractions, anybody could have seen where the error arose.

5271. Has that error been corrected in the new edition of Rymer?—No, it has not.

5272. You consider another advantage of printing with contractions is, that it multiplies copies of the original, and renders them almost as available?—Yes, and it affords great protection against the errors of transcribers; it enables any reader, of any critical sagacity, to restore the text. As I have said before, I think that there are very few errors in the record publications, which anybody who can use the books at all cannot rectify for himself.—[*The Witness produced two Memorandum-books, and then made the following statement*:] I beg to give the following evidence, in correction of my former evidence with regard to my employment at the Tower: Upon my retainer by the Commission upon the existing terms, I opened a memorandum-book, in which I have kept an account of each day's employment, from that time to the present. I came to the Tower the 26th of March 1833, the 25th being a holiday; upon that day I began to work upon the Ancient Correspondence, which has been noticed in my former examination. I continued employed upon the correspondence at the Tower, and upon other things then in progress by the Commission; and also occasionally at the Chapter-house. About the 4th or 5th of September 1833 I removed two of my clerks to the Chapter-house; and from that time I gave more and more attendance at the Chapter-house, because I had nothing to print from in the Tower. About the 26th September I finished the collection of Ancient Correspondence at the Tower, which has since been delivered to Mr. Cooper: it would make two or three volumes. In October 1833 I generally attended at the Tower and Chapter-house on alternate days. From the 4th November I went on principally at the Chapter-house. About this time we went to press with the 'Curiæ Regis.' I have always been in the habit of reading our sheets and correcting the indexes of the record publications in the evening. During the whole sitting of the Municipal Commission, I attended almost every day either at the Tower

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Tower or the Chapter-house; I had the latter opened for me at eight in the morning; I was not then keeper, but I arranged the matter with the messenger, giving him something for his trouble: and scarcely a day elapsed during the sitting of the Municipal Commission on which a sheet was not passed in some one stage through the press. The correction of the Curiæ Regis was very troublesome. The transcription of the Parliamentary Writs at the Tower went on till a short time after my appointment to the Chapter-house. In April 1834, the transcription of the Parliamentary Writs at the Tower was completed.

Sir *F. Palgrave.*

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Veneris, 17° die Junii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Charles Lemon.
Mr. Pusey.	Sir Robert Inglis.
Right Hon. C. W. Williams Wynn.	Mr. Charles Villiers.

MR. CHARLES BULLER, IN THE CHAIR.

John Murray, Esq., called in; and Examined.

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5272. The Right Hon. *C. W. Williams Wynn.*] YOU have been for many years engaged in publications?—Yes.

5273. Are you acquainted with the publications of the Record Commission?—Yes; I have seen about a dozen volumes.

5274. Are you of opinion that they are such as could be undertaken by any private individual, or by any combination among booksellers?—Certainly not.

5275. Do you apprehend, I will not say absolutely without exception, but that the greater part of them could have been undertaken with any prospect of remuneration?—Certainly not the greater part of them.

5276. I believe you have conducted the sale of the collection of State Papers printed from the State Paper Office?—I have.

5277. I believe the first volume, and the second volume, in two parts, has been published?—Yes.

5278. They contain, I believe, the correspondence of Cardinal Wolsey, and other interesting documents, and the correspondence relative also to Ireland, in the reign of Henry the 8th?—Yes.

5279. What number of copies of that work have you sold?—I have made a memorandum of it, the copies of the State Papers sold. Of vol. 1, large paper, four copies; ditto, small paper, 74 copies. Vol. 2, in two parts, large paper, none; ditto, small paper, only 37. They were published, vol. 1, April 11, 1831; vol. 2, April 28, 1835.

5280. The price which was placed upon that volume was not larger than the type and paper would in the usual course of trade require?—I was consulted about the price, but I was not informed of the expenses.

5281. Was the price greater than you usually place upon a volume of that size?—By no means so much.

5282. Then you think that the price is rather lower than higher than publications of that size generally bear in the market?—Much less.

5283. *Chairman.*] What is the price of one of these volumes of the State Papers?—Vol. 1 sells at 3 ½ guineas, large paper; the small paper, two guineas.

5284. The Right Hon. *C. W. Williams Wynn.*] What number of pages does it contain?—Upwards of 900 pages the first volume. Vol. 2, large paper, sells for five guineas, the small paper three guineas.

5285. Do you know what number of pages they contain?—Vol. 2, in two parts, 1,186 pages.

5286. I believe that work has not been sent in general to the public libraries; can you state what number of copies have been given away?—No; all that was conducted by the State Paper Office; I had not instructions to send any except the usual number of 11 copies to Stationers' Hall, which were sent there by me.

5287. *Chairman.*] Do you think that the small sale that these volumes have had is attributable to any want of interest on the part of the public in historical information, or to causes peculiar to the works themselves?—As far as I am capable of judging, I do not think the want of sale arises from a want of taste in the public

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for historical information; but I think the book would have sold better in a cheaper form, and in octavo.

5288. You attribute the want of sale, not to the want of interest in the public upon the subject of which it treats, but to its form and expensiveness?—Yes.

5289. The second volume, large paper, costs five guineas, and of that you sold no copy?—None.

5290. Did you sell any copy of the third volume in the large paper?—The second volume is divided into two, and sold together.

5291. Five guineas each?—No, for the two.

5292. Of that volume that costs five guineas you have sold no copies whatever?—None.

5293. But in the shape in which it was reduced to three guineas how many copies did you sell?—Thirty-seven.

5294. The first volume was two guineas?—Yes, the small paper.

5295. Of that you sold 74?—Yes.

5296. Under the circumstances of the case, do you think that for a work not of light literature, sold at an average of two guineas, and forming a portion of a very expensive set, of which the public could not see at that time how soon, or at what cost, it would be completed, that 74 copies was such a very small sale?—Yes, it certainly was.

5297. Under those circumstances?—People have a great objection to quarto volumes; it was put at an exceedingly low price to tempt people to buy, but they will not buy quarto volumes.

5298. They were both quarto volumes?—Yes, both large and small.

5299. For a quarto volume, published at two guineas, and being the first of a very expensive series, do you at all wonder that the public would not buy more than 74 copies?—I should have thought the interest of the volume would have induced many more to be sold.

5300. Coupling that with the idea that it was part of a set of which the expense would be very great?—Yes; I think the sale exceedingly small indeed.

5301. Did you ever publish any other quarto volume at the price of two guineas, being part of a series of which the continuation appeared indefinite at the time?—For instance, the quarto voyages and travels.

5302. What price was that published at?—Some of them as high as 4½ guineas, with a great number of plates.

5303. The Right Hon. *C. W. Williams Wynn.*] At what price was the supplement to the Hacluyt's Voyages published?—I do not know.

5304. *Chairman.*] At the time the first volume was published, was it known how many more would be published?—I do not know. I published Franklin's Voyage; that is complete in itself; or rather I began with Parry or Ross.

5305. They are complete in themselves?—Yes.

5306. I may have Parry in my library, but is it not incomplete without Franklin?—I have no recollection of publishing a series of volumes in quarto of which the extent was uncertain.

5307. The Right. Hon. *C. W. Williams Wynn.*] At what price was Southey's 'Peninsular War' sold; that appeared in successive volumes?—£.2. 10*s.* a volume.

5308. Are those volumes of the bulk of the first volume of the State Papers?—Not quite so thick; I think it is very nearly, because it is upon much thinner paper than the State Papers. The volumes contain from 800 to 900 pages.

5309. *Chairman.*] Did you publish Sir Francis Palgrave's Constitutional History?—Yes, I did.

5310. Was that in quarto?—Yes.

5311. Did it come out volume by volume?—No, the first volume was so bulky, it was divided into two; therefore it is volume 1, in two parts.

5312. Was the first part published by itself?—No, both parts together.

5313. The first volume is in a great measure composed of records?—The first part of the volume is historical, and the second of documents—proofs and illustrations.

5314. You published that work as a private speculation?—Yes, I did.

5315. The Right Hon. *C. W. Williams Wynn.*] The first volume of the State Papers contains the Correspondence of Cardinal Wolsey?—Yes.

5313. Is it not therefore complete in itself?—No.

5316. *Chairman.*] Is it not published as the first volume?—Yes.

5317. So that in a library it would look incomplete without the second?—Yes.

5318. Mr. *Pusey.*] Do you think if the publication had contained documents of

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William 3d, it would have found a readier sale?—I do not, because the transactions of the reign of Henry 8th are more frequently the subject of discussion than those of William 3d, which are better known. I do not therefore think the later one would have succeeded better.

5319. The Right Hon. *C. W. Williams Wynn.*] Will you inform the Committee at what price you apprehend the first volume could have appeared if it had been printed in octavo?—That depends entirely upon the expenses, and the number printed, and the notion which the publisher may have of its sale. I do not think I would have undertaken it on my own account to have printed it in octavo; the two volumes could not have been published for less than 30*s.*

5320. If the first volume had been printed in octavo?—It would have made two volumes, which could not have been sold for less than 15*s.* each.

5321. You have mentioned the unwillingness of the public to buy quarto publications?—Yes.

5322. Is not that a very recent occurrence?—Within two or three years.

5323. Prior to that time most of the historical publications that appeared, the first editions, were printed in quarto?—Yes, almost all of them; Hume, Gibbon, down to Sharon Turner and Lingard.

5324. Lingard and Hallam?—Yes, Hallam appeared in quarto.

5325. Henry?—Henry in quarto, and Robertson in quarto; but all these are popular histories, whilst the books in question consist for the most part of documents from which popular histories are formed.

5326. Did you find the publication of Sir Francis Palgrave's work afford you remuneration?—It was at a great loss.

Owen Rees, Esq., called in; and Examined.

Owen Rees, Esq.

5327. The Right Hon. *C. W. Williams Wynn.*] YOU have for many years been engaged in the publication of works?—I have been engaged, in partnership with Mr. Longman, between 30 and 40 years.

5328. Is it your opinion that publications of the nature of those of the Record Commission could be conducted either by an individual or by any combination among booksellers with a fair prospect of return?—I should say certainly not, with any prospect of profit.

5329. Do you think with a prospect of remuneration, so as to avoid loss?—I should say, not with the least prospect of it. We had the sale of the record works for some years, and the demand was very trifling indeed, barely sufficient to pay the expense of warehouse room; of the folio records I speak.

5330. Is the price placed upon the volume of the State Papers at all a remunerating price?—Certainly not; indeed we were consulted as to the price at the time.

5331. Is there any unnecessary expense in the preparation of that work?—Not unnecessary expense. I should say the expense of composition is great, from the quantity of old English, which is expensive printing. The compositors are obliged to be paid a better price for the composition of old English than the language of the day.

5332. Has the cost of publishing that volume been in any respect unnecessarily great?—I should say not, considering the size of the paper; there is a superfluous expense in printing the two sized papers.

5333. But the small paper is not a more splendid volume than quartos usually are?—We printed Holinshed and other chronicles upon the same size paper.

5334. Did you find the reprint of those chronicles a work which remunerated you for your expense?—There was at that time a considerable demand for books of that description, which is not the case at present, and we sold a sufficient number to remunerate us for the reprints.

5335. Do you conceive the form of those volumes of State Papers upon small paper to be in any respect more expensive than the reprint of the Chronicles?—Yes, they are more expensive, because they are printed in a larger type, and not so full a page, and on better paper.

5336. At what price do you think, supposing that work had been printed exactly in the same manner as the reprint of the Chronicles, it could be sold per volume?—I calculate they could not be sold for less than they are sold at present; two or three guineas a volume.

5337. Mr. *Pusey.*] Do you consider there is a very active demand for historical works on the part of the public at present?—Not for collections of papers or documents,

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ments, certainly not; the public look more to books of interest; books of reading; those we should consider merely books of reference.

5338. What description of historical works are most in demand?—Such works as histories of different countries and biography.

5339. Extensive histories, or small ones?—Not extensive, but rather the more limited in extent.

5340. Do you allude to the description of history you find in Dr. Lardner's Cyclopedia?—Yes; the history of England and others in that work have sold to a considerable extent.

5341. Do you conceive that the interest of the public is chiefly confined to these small publications?—Yes, principally.

5342. *Chairman.*] Do you think that the eagerness of the public for the original documents on which history is founded is at all less than it ever was at any former period?—Yes, considerably less.

5343. Original letters?—Yes.

5344. What period are you speaking of?—Almost any period; there is very little demand; the public are satisfied with having references to such works in public libraries like the British Museum, where they have access to them.

5345. You have stated that the eagerness of the public was less now than at former periods for this kind of reading; can you state that the eagerness at former periods is proved by the successful sale of other works containing such literature?—I might refer to the Chronicles to which I have alluded; we should not think of reprinting them at this time.

5346. Did you not reprint Holinshed?—Yes; but that was about 1807.

5347. If you reprinted it then, that is a reason for not reprinting it now?—I do not refer to that only, but chronicles generally; we reprinted Holinshed, Hall, Grafton and three or four others, but we found the sale decreasing; we did not think it advisable to proceed with them.

5348. Did not the works decrease in interest; had you not published the most interesting first?—No; Stowe we considered one of the most generally interesting, and we abandoned that, finding the sale of the others had decreased very much.

5349. Though you remark this only with reference to history, is it not the tendency of the times to encourage the publication of cheap works, which diffuse knowledge among a large portion of the people, in preference to those that are consulted only by the few?—I should say books on any antiquarian subject, not history alone. There was a great rage some years ago to reprint books of that description, but the demand having ceased, of course the publishers have ceased to publish them.

5350. You say there was a great rage in 1810?—Yes, about that period.

5351. How do you account for that having subsided?—It is a very difficult matter to account for it; there was at that time a greater passion for making libraries than there is now; it is the same with long sets of works; there is not the same demand for such as Johnson's works, and other long sets of books.

5352. Do you not find, with regard to the sciences, you will always sell more of the cheap and familiar books than of the more expensive and abstruse kind?—At that time the most expensive and handsome editions sold the best.

5353. At the present time is it so?—No.

5354. Would you now rather undertake the publishing of Mrs. Somerville's work on the Mechanique Cæleste, than Laplace's work itself?—Yes; it is a more popular work.

5355. The same remark applies to history as well as all other sciences?—Yes.

5356. The great mass of the reading public encourage the sale of books that they can read, which, to a certain degree, prevents the sale of more abstruse works?—Yes, no doubt.

5357. Because they get a portion of information in the lighter works?—Yes, that is the case more now than at a more distant period.

5358. Conceiving it a desirable object that correct notions upon history, as well as upon other points, should be generally diffused, do you not think it, after all, a very good thing that correct notions are diffused in this way?—Yes, it is a very good thing that they are diffused in an accessible form.

5359. You think that accurate information ought to be diffused also?—Yes, it ought to be accessible for general libraries; but the public would rarely buy them.

5360. That

5360. That you apply to abstruser works, other sciences as well as history?—Certainly.

5361. One of the questions with regard to record publications is this, would not the sale of such works as those of the publications of the Record Commissioners, even if they were printed at the public expense, and undertaken at the public expense, be small, owing to the large price?—More copies would be sold at a low price.

5362. Is not the expense of the works of the Record Commission such as would impede their sale very greatly?—Yes, particularly folios.

5363. Are you of opinion, that more general and correct notions being by the cheap publications universally spread about upon history, that nevertheless, to secure to learned men the benefit of the most authentic documents upon history, that such works as those of the Record Commission should be printed at the public expense, and given away?—Yes, certainly; I should say they are only to be done at the public expense; no individual would speculate upon them.

5364. But, from all your answers the evidence we receive is, that if individuals were to undertake the works, and they were sold at half the cost, the price would hinder the sale?—Yes.

5365. Would not the price fixed by the Record Commissioners prevent their sale?—Yes.

5366. With the price attached to them, would they have a larger sale than the State Papers?—No, I should consider not much more.

5367. Then the only way of doing this good which you wish is, that the Government should not only print them, but give them away?—Yes, or sell them at a very reasonable price.

5368. Some gentlemen may have their own hobbies; but do you not think there is other information it is desirable to extend, as well as historical?—Yes, certainly.

5369. Do you not think it desirable that people should read abstruse works on mathematics and other sciences?—Yes.

5370. Do you think the Government ought to undertake the publication of works on those abstruser sciences, and give them away also?—Yes; I should say there are certain works that they ought to do so, such as the works of Sir Isaac Newton, which could not be undertaken to be published as a speculation. The folio size is a very awkward size, and should rarely be adopted.

5371. Mr. *Pusey*.] Do you think if that volume of State Papers, instead of containing the despatches of Cardinal Wolsey, had contained the despatches of the Duke of Marlborough, or any minister of state of those days, it would have found any readier sale?—Yes, I think it would.

5372. *Chairman*.] Do you not think it was unfair to expect a great sale of this volume of State Papers, it being in a very expensive form, and a part only of a series?—The only way of publishing these is by a volume at a time.

5373. Is not that a drawback upon the sale?—Yes; but the publication of the State Papers must be indefinite. The French historical works, published in the same way, were published by the government at its own expense; they were published a volume at a time, with the index afterwards.

5374. Mr. *Pusey*.] What work do you allude to?—Such as The Histoire et Mémoires de l'Académie des Inscriptions. There are many complete treatises in that collection.

5375. You have not with a professional eye at all investigated the works of the Record Commission, and the cost at which they have been printed and got up?—No, I have not at all.

5376. Is it a usual or satisfactory method of proceeding in editing a publication of a work to have the corrections cost as much as the original printing?—I have known instances where the corrections have cost double the composition.

5377. That you think is satisfactory?—No, certainly not; but I have known editors make so many alterations as to cause the charge for corrections to double the original cost.

5378. You call that very bad editing, do you not?—I should be very sorry to have many such editors or authors.

5379. The Right Hon. *C. W. Williams Wynn*.] Is not the number of corrections in printing from ancient manuscripts or records always infinitely greater than from any modern composition?—Certainly; if you look over the octavo volumes of the records you will find an immense number of contractions, and the printers are

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very apt to make mistakes in printing them, so as frequently to render considerable alterations necessary in the proof sheets.

5380. *Chairman.*] You said you had instances of corrections costing double as much as the original composition?—Yes.

5381. That must have arisen from alterations made by the authors to improve their works?—Yes.

5382. That cannot arise where you are printing an exact copy of a work?—No, if there is a reprint there is no charge for corrections made; but these records are very difficult to print, and must require considerable alterations.

5383. Sir *Robert Inglis.*] The question has reference, not to the reprint, but to printing from a manuscript with contractions and in a foreign language. The compositors and printers are generally, it is presumed, less familiar with foreign languages and with contractions than with English without contractions. Is that to be understood to be your opinion?—Yes. I should say, in printing a work with contractions, or printing from a language the compositors do not understand, must cause a great number of corrections to be made.

5384. Do you recollect the proportion of corrections stated by Babbage in his work?—I do not recollect, but I will supply it.

Extract from Mr. Babbage's statement of the expenses of printing his "Economy of Manufactures."

Composing 10½ sheets - - - -	£.	32	– 6
Extra for small type in extracts and contents		2	– 3
Ditto in table-work - - - - -		2	17 –
Charge for corrections - - - -		33	– –

Edward Baines, Esq. M. P., Examined.

E. Baines, Esq. M.P.

5385. The Right Hon. *C. W. Williams Wynn.*] I BELIEVE you have been very much engaged in historical and topographical inquiries?—I have for a number of years, and my attention has been much directed in that way, both to national and topographical history, but especially to the latter.

5386. Will you state the works you have published?—I have published rather a voluminous history of the county palatine of Lancaster, in four quarto volumes, which is in course of publication at present though nearly completed, and in the course of that publication, and in my other minor publications, I have had much occasion to refer to the works of the Record Commissioners.

5387. Have you found that they were of importance to you, or of real value and assistance?—I have found them of very essential service in facilitating historical investigations, and in giving those investigations a degree of precision that they could not have attained without the aid of such documents.

5388. Does your acquaintance with the general mass of records enable you to give an opinion whether the selection of those printed has been judicious?—Upon this subject I cannot speak with so much precision as might be wished, owing to my circumscribed knowledge of the great mass of our national records; but as far as I am competent to judge, I should say that the publications of the commissioners have been extremely judicious; I am sure that they have one of the characteristics of sound judgment, and that is great utility.

5389. Do you think the works now in the course of publication are likely to be of as much utility as the former ones?—I am unable to institute an exact comparison; I have no doubt of their being found extremely useful indeed; they seem to me absolutely necessary to complete the series of published records.

5390. *Chairman.*] What are those works to which you allude?—The indexes and calendars that are now printing, and other records of a similar kind.

5391. You said they are useful as completing a series of records formerly published; which of those now being published would you specify in that way?—I should say the lists of rolls in the record offices now publishing, with the indexes and calendars referring to the records, without the aid of which you would find great difficulty in bringing up a connected series of historical inquiries to the latest period for which you have the documents in the record offices; this advantage I have particularly experienced from the publications from the office of the Duchy of Lancaster, where the information is chronologically arranged, and from which I have been able to trace the descents of manors, and to connect the history and pedigrees of families.

5392. Then

5392. Then I am to understand you that the works now publishing by the Record Commission that you think useful are the indexes and catalogues?—Yes; I refer more particularly to them, because I have not so much used the extracts from the records. The indexes have directed me to the record itself; I have rather chosen to go to the record than to use merely those that I found in the books.

5393. You think that the greatest service that the Record Commission is doing, or could be doing, is providing good indexes and catalogues?—No, I do not think that; to a person whose pursuits have been like mine that is an advantage; but there are many persons who do not refer to the records themselves, but to the abstracts as given in the works of the Record Commission.

5394. But, as far as your experience goes, if all that class of inquirers, of whom we may consider you the representative for the moment, you think that the calendars and indexes are the most valuable works the Record Commission could publish?—I consider them most valuable to persons engaged in the same pursuit as mine; but I do not mean to detract from the value of those that contain the records themselves, inasmuch as great facility is given by having the records printed, and time saved in having them exhibited as they are in these books, rather than to force persons to go to the records themselves, which are frequently difficult to be deciphered, and sometimes you do not arrive, except you are better acquainted than I profess to be, at the exact meaning of the sentence, or of the passage you wish to have brought under your review.

5395. To a person not familiar with reading records it is more convenient to have them printed than to consult them in the originals?—Yes. I was going on to observe that the records as now given produce two very important advantages; one is, that they confirm to you passages of history that were dubious, and depend very much upon what may be called the records of monkish historians, some of which perhaps have been in the lapse of time falsified, and you are frequently brought acquainted with the confirmation or with the refutation of those passages; another advantage is, that they frequently disclose a great deal of valuable original information which, if it had not been for the researches, and for the publications of the Record Commissioners, must have remained for ages, in fact must have remained for all time, locked up in those record offices, and lost to the public.

5396. Do you mean to say, until the Record Commission published these volumes, that historical inquirers were ignorant of the existence of such information in the record offices?—I do not mean to say that they were ignorant of the existence of it, but in very many instances they were wholly unacquainted with the records by which the information was verified, and very often they were without specific information upon the facts themselves.

5397. You do not mean to say that a great many antiquarians in England did not know that the Pipe Rolls existed for instance, or the Nonæ Rolls, and the Parliamentary Writs, and did not know what kind of information they should find in them, or what kind of information they should not find, if they did not look there?—I am well aware that antiquaries were acquainted with those depositories, and knew the general nature of the information contained in them; but I am equally certain, though they knew the general nature of that information, they did not know the specific nature of it in anything like the same degree that they have been brought to the knowledge of it by the Record Commission.

5398. You mean to say there have not been so many persons who have read the original Nonæ Rolls in the Tower as have read them since they have been published by the commission?—Yes. Supposing you wish to ascertain any fact relating to a particular county, you would find the facts relating to that county spread over the records of 300 or 400 years; now one of the great advantages that the publications of the Record Commissioners have communicated is this, they have given you an opportuuity of collating the matter in these records, and bringing it pretty much together, and knowing the particular year in which you are likely to find any information relating to the subject of your inquiries, and by the search of a few hours perhaps you accomplish what you could not have attained without the aid of these records for months or for years.

5399. Then it all comes to this, that what the commissioners have done is, that they have printed certain portions of the records, and you have them now in your library, if you can afford to buy them, instead of going to the record-offices?—No.

5400. State in what other manner the commissioners have communicated in-

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formation to the public?—If you had gone to the offices previously, you could not have found these indexes by which this information is communicated.

5401. Do you mean to say that the merit of the Record Commissioners is that they have provided indexes at the different offices?—I mean to say they have provided indexes for the different records that did not exist before.

5402. Will you tell us which?—I will illustrate what I mean more particularly by the office of the Duchy of Lancaster: there are in the office perhaps not fewer than 300 or 400 boxes of records; these records, previous to the time of the institution of this commission, were in a situation so disordered it was quite in vain to attempt to look amongst them to find out any particular subject; but now, under the management of the Record Commission, they have been methodized, and you have calendars and catalogues made, which have been disseminated to all the principal public libraries in the kingdom.

5403. What is that work called?—There is a vast number of catalogues, inquisitions and post mortem returns.

5404. Are those mentioned in the returns to Parliament?—Yes.

5405. This applies to the Duchy of Lancaster?—Yes; indeed the office of the Duchy of Lancaster in London contains the records in the whole duchy, which is very extensive, not confined to the county of Lancaster, but spreading over various parts of the kingdom, extending even to the Savoy in London, which is within that jurisdiction. I mention this merely in the way of illustration, and to show that formerly a person like myself, to be placed at Leeds, for instance, had no opportunity of obtaining information from the public records without coming up to London to make searches through those records, and of course spending a very great deal of time and money and eye-sight in the attainment of what I can now obtain in my library at Leeds, having the record publications before me; I can send to the record-keeper in London, point out the document I want, as indicated in these publications, and have copies or extracts made from them regarding the descent of a manor, or the pedigree of a family, or any such other information as the record affords; whereas before it would have been almost impossible that the information could have been obtained. I will mention another case that has fallen particularly within my knowledge, from the nature of my pursuits: several persons have spent their lives in accumulating documents from the record offices, for the purpose of county histories, but a lifetime was scarcely long enough for the labour; Dr. Kuerdon, in particular, is a case in point. He had intended to write a history of the county of Lancaster; he began his labour by accumulating documents in the middle of the 17th century for that purpose; he sought through the record offices, and in the course of a long life he accumulated sufficient matter to afford materials for his intended work, but before he began to write his history he died. The labour of his life was to a certain degree thrown away; whereas, if the publications of the Record Commission had existed in his time, he would have directed the powers of his mind to the compilation of his history, and with such aid he would have completed that which without it he had scarcely begun.

5406. I wish to understand, in any one instance, the particular advantage that the publications of the Record Commission have been of to you; you say that the Record Commission has enabled you, sitting in your library at Leeds, to get in a very short time, and without moving from the spot, that information which cost this learned man the labour of his whole life hunting amongst the record offices in London; you do not mean to say that the Record Commission has put all the records in such a shape that you have them all before you in your library?—No.

5407. The good they have done then is, that they furnished you with catalogues and indexes, which enable you in your library at Leeds, not to know precisely the same as you would know if you came up and saw the record itself, but to know where the information is to be found, and what information is to be found?—Yes; combined with another advantage not mentioned, which is this: that it may be inconvenient to me to come to London to make these searches, but by means of these catalogues, inquisitions and calendars, I can obtain all the information I want by writing to the record keeper, or employing an amanuensis.

5408. You mean that the Record Commission has not saved you entirely the trouble of resorting to the records; it has not given you the actual information which is contained in the record itself, but it has enabled you at that distance, and with perfect convenience to yourself, to know where the information is to be found, and what kind of information is to be found; and by employing a person in London

you

you can get that information sent down?—Yes, and a little further than that. Many of the publications of the Record Commission are of great value as an analysis of the records; and it has frequently happened to me, and I suppose to many other persons, that the abridgment they have given of the document itself communicated all the information I wanted; and I had not occasion even to write to London for this information, because there I found it, without the necessity of having any transcription of the record at length.

5409. We will come to that afterwards; but I want to know whether the first that you mentioned, the knowledge that the catalogues and the indexes gave you, and the convenience and saving of expense that thereby you obtained, are not the great and principal merits you found in the labours of the commission, or among them?—Yes, I should say among the advantages.

5410. You say you have found this, and it has been of very great service to you with regard to documents in the office of the duchy of Lancaster; do you mean that the present commission has published such catalogues or indexes as to give you, when you are in possession of them, full information as to all the documents of any value at all in the office of the duchy of Lancaster?—No, I do not mean that by any means; because if it had, then the labours of the Record Commission might very well cease; it has not given all with regard to the duchy, but it has given much.

5411. Has it given that information with regard to all in the Tower?—Not all.

5412. With regard to any considerable number?—Yes.

5413. Will you state which of those works?—I do not immediately call to mind in which of those works, but a mere examination of the books themselves show it; there are many of them given in the Inquisitions, the Rolls and the Calendars.

5414. Have they given any such general clue to the information contained in the Tower as would enable you, sitting in your library at Leeds, to take up one of their works and say, I know if I want to get such and such a document I must send to the Tower for it, or that it is not in the Tower?—I do not mean to say they have given it to the full extent, because they have not completed their labours; but they have pointed out what documents are to be found both in the Tower and in other record offices.

5415. Will you state what they have done in this way?—I do not know that I can state more than I have done; they have made catalogues of the records: for instance, they have shown you in whose possession manors and other possessions were held in successive reigns, and they have enabled you to bring down your inquiries chronologically nearly to our own times.

5416. Do you know, with regard to the valuable documents in the Tower, to what proportion they have given a clue?—No. You will perceive in an answer I gave to a question just now, that I was not sufficiently acquainted with the contents of those documents to be able to say. The question is this: does your acquaintance with the great mass of national records enable you to say that you think the selection that has been made from their publications has been judicious? My answer to that inquiry was, upon this subject I speak with some hesitation, owing to my own circumscribed knowledge of the great mass of the national records; but as far as I am competent to judge, I should say that I think the publications of the commission have been extremely judicious.

5417. I want to know, with regard to this information which you think is so valuable, and which I think is the most valuable, what amount of information they have given with regard to documents in the Tower; do you know the proportion?—No, I really do not.

5418. If you heard that it had been stated by the secretary of the commission that the work which is left undone in that way in the Tower alone, of making catalogues and indexes, would amount to 350,000 *l.*, should you know whether that was accurate or not?—I do not know whether I understand exactly the question.

5419. If I was to state to you that the commissioners, so far from providing proper catalogues and indexes to the works in the Tower, have left so much of their work undone that it would cost 350,000 *l.* to finish it, should you know whether I was right or wrong?—No, I should not.

5420. Sir *Robert H. Inglis.*] In the answers which you have given in reference to the value of the publications issuing under the authority of the Record Commission, do you describe them generally as being catalogues and indexes, or do you consider that in many instances they have printed entire works from original manuscripts,

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and that such entire works so printed have themselves conveyed to you that information, which, in respect to the other works, catalogues or indexes, might have enabled you to know existed elsewhere?—I should say there is the Doomsday Survey, there is the Testa De Neville, and a number of other publications of that kind, which are entire publications, of the highest value and authority.

5421. *Chairman.*] Then they have printed the whole records, and you have the advantage of having in a more convenient shape, and in your own library, the whole information the record office could give you?—Yes.

5422. I am confining it to the other branch of the question; with respect to catalogues in the Tower, your information is limited, as your last answers would lead us to suppose?—Yes; it was only yesterday that I was requested to come as a witness before the Committee, and I have not referred at all to the publications of the Record Commission with a view to the examination, but speak from my general impression of their utility.

5423. Suppose I was with you in your library at Leeds, and we were speaking of some historical subject, and I was to say to you, I should think we might find a record in the Rolls Chapel which would give us precise information, could you by any publications of the Record Commission save me the expense and trouble of going to London to ascertain that?—What I should say upon that would be, here is a publication containing an index of what is to be found in the Rolls Chapel up to a certain period.

5424. Have you got such a work?—Very likely what I should have said would be, we will look over the publications of the Record Commission and see whether there is anything that will afford that information. I rather apprehend there is not as to the Rolls Chapel, but there is such as to other record offices.

5425. Is there any such information with respect to the Chapter House?—The information I have upon that subject has been principally derived from the examination of the records in the Chapter House themselves; there are some county bags, as they are called, that I have looked into, and found a good deal of information.

5426. In your library at Leeds has the commission enabled you to know what is in the Chapter House?—I could say in my library, instead of going to the Chapter House to look at Doomsday, I could look at it in Leeds and say which of the places in our county was a manor at the time of the Conquest.

5427. That is the merit of printing Doomsday Survey; that is merely one book among a mass of documents, of which it is not a millionth part in the Chapter House?—Yes; but that is one document in the Chapter House. I mention the Doomsday Book because you mentioned the Chapter House, where it is kept.

5428. I am speaking generally about information at the Chapter House?—I am afraid, with respect to information at the Chapter House, the Record Commission has not proceeded sufficiently far to give it you to the extent that might be wished.

5429. Take all the record offices in London besides the duchy of Lancaster; if I was in your library and to ask you to save me a journey up to London, could you do that except in those cases where, as in the Doomsday Book, you could lay your hand upon the record itself?—I could go through the reigns of several kings, and tell you from the Record Commissioners' publications whether there were any records of those periods to be found.

5430. Could you tell me whether I could find any information respecting what is contained in the Exchequer records of the time of King John?—Yes.

5431. You could?—I believe I could.

5432. From which volume?—I do not know off-hand.

5433. Do you know that that information is contained in 500 unsorted sacks at the Carlton Ride, and do you mean to say there is a catalogue of the contents of each sack?—There is not a catalogue of each box of the records of the duchy of Lancaster, but there are catalogues of a great many of the boxes, and there may be to a number of those sacks to which you speak.

5434. Do you suppose that among your books published by the Record Commission you have such a catalogue as would afford me a clue to the records of King John's time?—I am not aware that there is, generally, but there is an index to the charters of that reign.

5435. The whole bearing of your evidence upon this point seems to be, that the Record Commission have given very useful information in the county of Lancaster with respect to catalogues, but with respect to other counties you do not know that they have?—They have given much information with regard to documents in the record offices, both with regard to Lancashire and to other counties also.

5436. In

5436. In the shape of indexes?—Yes, a very great deal indeed; I should think in my own publication, which perhaps consists of 2,000 pages, that I have quotations from records to the number of 10,000 cases, for which I am indebted to the publications in a great degree of the Record Commissioners.

5437. Mr. *Pusey.*] Do you mean printed records?—Yes, the records printed by the order of the commission.

5438. *Chairman.*] That is to say, you are indebted to the commission for having saved you the trouble and expense of consulting the original records by having given you the records themselves?—No, I have not always wanted them.

5439. In those 10,000 cases did you obtain your information immediately from volumes published by the Record Commission, or did you through those volumes get a clue to the records in London?—Both ways.

5440. In what offices were the documents of which you got such a clue?—Principally the duchy of Lancaster.

5441. Any other?—In the Tower my searches have not gone so much into that office as into the Duchy-office, with which I had more to do, from the local history in which I was engaged; but I have no doubt at all that a person engaged in general historical inquiries would obtain a vast mass of information, almost incredible, from the records in the Tower.

5442. The Right Hon. *C. W. Williams Wynn.*] Do you think that the general course of historical inquiry in this country has been materially assisted by the labours of the commission?—I should say most essentially. Till the commission was established the sources of information were exceedingly difficult of access; the labour of obtaining information was immense, and the precision with which many points of history were then arrived at were by no means that which you at present possess as communicated through those records; and altogether, if I were asked what was the greatest benefaction that was ever conferred on the historical and topographical literature of this country, I should say that benefaction was rendered by the institution of the Record Commission and the labours of the commissioners.

5443. *Chairman.*] Would you favour us with an account of the mode in which this has operated upon the general study of history in this country, inasmuch as those publications of the commissioners cannot, from their size and nature, have been generally read; the way in which it has operated must have been by supplying historians with more accurate information than they had before?—Yes.

5444. Of the histories of England that have been lately published, could you specify any one instance in which those publications appear to have had a material influence on the views of the authors; if you were asked to account for the greater accuracy in some particulars of Hallam, Lingard and Sharon Turner, over Hume and Henry, what instance in their histories is there to which you could point, and say, this is an instance of their accuracy and superiority, which is owing to the publications of the Record Commission?—You must perceive that in an inquiry of that kind it would be necessary to have the works before you to be able to point to the passages where the information was drawn from the works of the Record Commission.

5445. Could you say from your recollection at the present moment there is any one passage in Hallam, Sharon Turner or Dr. Lingard, in which you could say they had derived valuable information not known to their predecessors from the works of the Record Commission?—I have no doubt if you were to apply to Dr. Lingard, or Mr. Hallam, or Mr. Sharon Turner, every one of them would concur in the opinion I now express, that they have derived most valuable and important information from those sources, that would either have been closed to them entirely before, or that would have been of so difficult attainment that it is probable the difficulty would have prevented them acquiring it.

5446. I do not want to bring you to chapter and verse entirely, but you are conversant with the great events of our history, those particularly that have been the subject of doubt among historians; can you mention any one of those points upon which modern historians have cleared up doubts owing to the works of the Record Commission?—No, I do not know that I can, because records of this kind refer more to minute than to prominent portions of history; but they give a precision and certainty even to prominent portions of history; but when you look into the records, in developing the character of King John, for instance, about which there has been a good deal of controversy, you do not expect in those records to find anything that has not by historians in former times been in some degree explored through the medium of these records; but I have no

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doubt at all you will find a great deal of minute and precise information derived from that source which was not in the possession of those who had not such easy access to those records as we have at present through the medium of the Record Commission.

5447. You mean, then, to say, that the utility of the works of the Record Commission has been chiefly exemplified in works like county histories, or very detailed works of minute antiquarian information?—I should say, if you are to appreciate them in any one department of literature more than another, it is to be found in the histories of counties and parishes, and manors and families. I do not know whether I quite make myself understood, but in county histories you go very much into the descent of property, and particularly manorial property, and into the descent of families, and into those branches of local history, which perhaps scarcely attract the attention of the general historian, inasmuch as they would swell his work to an undue bulk, but which become highly interesting in county histories, even from their minuteness.

5448. And which ultimately, if those county histories are well written, become valuable as sources for general history?—Yes.

5449. But at the same time, is it not rather singular that with all the labours of this commission, valuable as you represent them to be, they appear not to have made any impression, as far as your recollection extends, on the general knowledge or opinions of the general historians of the present day?—I think no reliance is to be placed upon my opinion, taken in the hasty manner in which it is taken. I have not gone into the investigation at all, and I can only speak of what I really know of the benefits I have myself individually derived.

5450. But then you would be understood to limit your former answers with respect to the immense benefit done to the science of history by the publications of the Record Commission to topographical and minute histories?—Not by any means to limit it to them entirely, but to say in those departments of history I think the Record Commissioners' labours have been pre-eminently valuable.

5451. Do you think, owing to that, that we have better county histories than we ever had before?—No doubt of it, if you have equally good authors.

5452. There is no reason for supposing that the authors of former times were superior to the authors of the present time, taking the whole mass of them; the average of ability we allow to be the same; if that is the case, the county histories which have been published since the present Record Commission was called into existence ought to be very much better than those published before?—I believe they are, wherever there has been the same talent and the same diligence. You have a great deal of trashy county history, and it has been so at all times; there are persons who write histories of counties who have never seen the works of the commissioners.

5453. You say generally that the minute histories and antiquarian works published since this commission has been in existence are very much better, and more valuable than those that existed before?—I think they are more accurate; and if you will allow me an illustration, I would say, supposing any member of this Committee, yourself, for instance, to sit down to write a county history, and you were to attempt to write it without the publications of the Record Commission, you would produce an infinitely inferior history to what you would produce if you availed yourself of the publications of the Record Commission.

5454. Can you specify any topographical work published since the present Record Commission was called into existence as good as Whittaker's Manchester, or Dugdale's Warwickshire?—Certainly I do not know any topographical history that has been published since the labours of the Record Commission were called into existence of so inventive a kind as Whittaker's History of Manchester, which is partly a history of imagination. He will imagine you a scene having no record to prove it; he will tell you how a Saxon drew up his army; in what way he placed his forces, and what was the nature of the fortifications of the Romans on a certain point; he will take you to a certain place, and point you out a hill where certain speeches were made, and achievments performed; that he will describe. That was the kind of History of Manchester written by Whittaker, who was an exceedingly clever man, and a man of a good deal of research, but who compensated by his own ingenuity, in a great degree, for the absence of those facts which authentic records supply. There is no comparison between Mr. Whittaker's History of Manchester and Dr. Whittaker's History of Craven, one of them published before and the other after the institution of the Record Commission.

5455. When

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5455. When was that published?—I believe about the year 1810.

5456. That was long before the present commission was in existence?—The commission issued in 1800.

5457. The present commission?—I do not speak of the present commission; the commissionary publications commenced in 1801.

5458. Do you think the publications of the old commission as valuable as the later ones?—I apply my observations to both; I take them to be a connected series, and a continuation of the same kind of labour.

5459. Could you state, from your general impression of the book, that Whittaker's History of Craven is better than the previous histories, owing to the information derived from the publications of the Record Commission?—I could not take upon me to say that; I do not know the nature of his researches, but it is a great deal more authentic history than Whittaker's History of Manchester.

5460. Is that superiority derived from the works of the Record Commission?—I can only take dates; there is no doubt a great deal of information derived from the works of the Record Commission; no man can write topography now without having those works; no man of character I mean; he must find them invaluable.

5461. What were the works the Record Commission had published before 1810?—I do not recollect.

5462. Are the Harleian and Cottonian catalogues of great service in county histories?—Yes, they are of great service.

Sir *Frederick Madden*, called in; and Examined.

Sir *F. Madden*.

5063. The Right Hon. *C. W. Williams Wynn.*] YOU are, I believe, Keeper of the Manuscripts at the British Museum?—I am Assistant Keeper of the Manuscripts in the British Museum.

5464. Have you been much engaged in archæological pursuits?—For 15 years my attention has been directed to researches of an historical and topographical nature; and for more than 12 years I have been practically acquainted with records and manuscripts.

5465. Have you in the course of that time had occasion to use the publications of the Record Commission?—I have.

5466. Have you found them of assistance in any of your studies?—I have found them generally useful; but those published by the new Record Commission of far greater utility than the old.

5467. From your knowledge of the national records, do you think that the selections for publication that have been made have been made judiciously?—As a general question, I should say yes; but at the same time I must still draw a distinction between the labours of the old commission, and the labours of the new, because I conceive that many of the works published by the old commission were executed exceedingly ill, and not at all in the manner that was expected from them.

5468. Do you speak of the execution or the selection?—More of the execution than the selection.

5469. Do you conceive that since the formation of the present commission, in 1830, the execution of the works has been materially improved?—Very much so.

5470. Do you conceive that the historical literature of the country has been influenced by the works published by the Record Commissions since their first institution; I am now speaking of both commissions?—I think so, decidedly; the publications of the Record Commission apply, first, to the general historian, and then to the topographer or county historian; the large mass of them would be of more utility to the county historian than to the general historian; but no general historian could, I conceive, write a history of England without referring to Doomsday Book, the Valor Ecclesiasticus of Pope Nicolas, and the Ecclesiastical Survey in the reign of Henry the Eighth.

5471. Are you acquainted with the publications of the same nature that have been undertaken by the French government?—I am acquainted with the historical collections made by Dom Bouquet and Dom Brial.

5472. Are there any that are now carrying on?—There is at this moment a gentleman (M. Michel) employed under the direction of the French minister to transcribe, or procure transcripts, and edit works relative to the early history and literature in France existing in this country.

5473. Are you acquainted with what has been done of a similar nature by the Belgian government?—Only thus far; I have seen a copy of the commission issued by

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by King Leopold, which embraces even more than our commission here; first, it orders that a collection of the national chronicles, charters, diplomatic instruments and laws should be made; and in the second place, that all documents of a purely literary nature that throw light upon the language, manners and customs of the country, should be collected also.

5474. Should be collected or published?—Collected, for the purpose of publication; but nothing has yet been published by the Belgian commission.

5475. Are other foreign states engaged in inquiries of a similar nature for elucidating the early history of their respective countries?—I think it has always been considered an object with foreign governments to encourage the publication of historical works relating to those countries. There is a collection made by Langebeck for Denmark, and there is also a royal commission at Copenhagen for the publication of works, not merely historical, but to throw light upon their early literature; there is also in Germany a collection of chronicles and early documents publishing by Mr. Pertz of Hanover, of which three volumes have appeared.

5476. Is that publishing as an individual speculation?—It is undertaken by subscription, but I believe there is great assistance afforded to it by donations from the sovereign, and the principal persons in the country.

5477. Are you aware of any others?—No, I am not.

5478. Are you of opinion that works of this nature could be undertaken by individuals at their own expense?—Certainly not without considerable loss.

5479. What is your opinion of the publication of the Close Rolls?—I think it one of the most valuable works published by the Record Commission.

5480. Do you apprehend that it is likely to be of extensive utility?—I conceive so, since it affords not only very useful historical information, but gives to the antiquarian very minute particulars illustrative of the manners, institutions and customs, which he would scarcely find elsewhere.

5481. With respect to the Patent Rolls?—The portion I have seen is executed in a similarly satisfactory manner by the same gentleman, Mr. Hardy.

5482. With respect to the Pipe Rolls?—There are two that have been printed; the first of which is now acknowledged to be the 30th of Henry 1, which was formerly considered to be the 5th of Stephen, and another, the 3d of John.

5483. *Chairman.*] Was it printed as a Pipe Roll of Stephen?—No, as the 30th of Henry 1; and it is proved to be so by the dissertation of the editor, Mr. Hunter, prefixed.

5484. What is your opinion with respect to the Fines?—There is a volume of them printed, edited by Mr. Hunter, and I conceive them of considerable utility; I have myself gone through the original fines for Hampshire in the Chapter House, and I have found their use very considerable.

5485. The Norman Rolls?—I have had less occasion to consult them, but I believe them at the same time to be of great use.

5486. The Privy Council Books?—The Privy Council Acts are unquestionably of great historical information and interest.

5487. The Rolls of the Curia Regis?—There are two volumes printed; for my own researches, I have received less information from them than from other works of the commission, but at the same time I cannot question their value, because I conceive that all documents of a period antecedent to Henry the 3d's reign should be printed.

5488. The Oblata and Fine Rolls?—The Fine and Oblata Rolls are of very great use indeed; there are two volumes, edited by Mr. Hardy and Mr. Roberts, which are done exceedingly well.

5489. What is your opinion of the intended publication of the Calendar of the Heirs from the Inquisitions Post Mortem?—I think it would be of the greatest value to the county historian in proving the descent of property, providing that all the information contained in the Inquisition is given, printed either in a tabular form, or in any other way that might be deemed more economical.

5490. Are you acquainted with the collection of materials for the History of Britain, that part that has been printed?—I have seen the volume, but I have not had an opportunity of examining it critically; I saw it for the space only of half an hour. With regard to the materials collected for the History of Britain, I am acquainted with them, because I was employed for six years in collecting them.

5491. What is your opinion of the plan of that work?—I think some objections to the plan might be raised; first, on account of the large form, since it might have been in a less; next, it does not admit in many cases of ancient translations of historical

historical works; and, thirdly, because the prefaces and notes are written in Latin instead of English.

5492. In what language does it appear to you the notes and the prefaces should have been written?—I conceive in English, and that was the opinion of Gibbon. Such a work was proposed in 1778 by Gibbon, the historian, to be edited by Pinkerton, and he insisted upon the notes and prefaces being in English.

5493. What plan would you recommend for the continuance and completion of that work?—My last reply would partly point out some of the advantages that would be gained by a different sized volume, English notes and prefaces, and the addition in many cases of ancient translations, such as the Saxon translation of Bede by King Alfred; the translation of Peter Langtoft by Robert of Brunne; and similar instances might be quoted.

5494. Would you recommend the work proceeding upon the plan of Dom Bouquet, or Muratori?—I do not see any great objection to the division of a chronicle into portions terminating at certain dates, because although in the early annals such portions would be very short, still at later periods there would be much larger portions, and a tabular index would show you where the remaining part was; and there would be a great advantage in placing in juxta position what related to the same period.

5495. *Chairman.*] Have you paid great attention to antiquarian researches?—Yes, I have for many years.

5496. And you are very fond of them?—Yes.

5497. You think that all documents antecedent to Henry the Third's reign ought to be printed?—I do.

5498. At the public expense?—Yes.

5499. You say you think that the publications of the Record Commission have had a very valuable influence on historians?—I divide historians into general historians and county historians.

5500. Let us take general historians first; could you describe any instance of that valuable influence being exerted which you have alluded to?—No single instance is required; I include, in my reply, Doomsday Book and the Valor Ecclesiasticus of Pope Nicholas; the historian could not pass them without consulting them.

5501. Could you state, owing to consulting them, that the histories published since 1800 have been better than those that had been published before?—It is a self-evident proposition.

5502. Is it the fact?—It is.

5503. Can you state any instance in which Mr. Hallam's work is better in consequence of those publications?—I think it is a necessary inference, that the general historian must receive an advantage.

5504. Is it not equally a self-evident proposition that it is possible that the general historian might not have read them?—It is possible, but not probable.

5505. Could you bring any evidence to show that those historians have read those works?—I cannot bring an instance from memory, but I should hardly think the fact could be questioned.

5506. You say these works have produced a valuable influence on history; can you point out any instance of it?—There are many instances which could be pointed out, but not off-hand.

5507. You must know that there are a great many important points in our history and our constitution which have been made matters of doubt and dispute; can you mention any one of those on which the later historians, such as Hallam, Lingard or Sharon Turner, have come to more accurate conclusions concerning them, as you suppose, from the information derived from the works of the Record Commission?—The fact is, that general historians only consult, at least with advantage, certain works of the commission which have been pointed out; in other respects they go to the manuscripts preserved in the Museum and other public libraries; and I know that Lingard and Sharon Turner frequently refer to inedited chronicles and documents in the British Museum.

5508. That is the very strongest argument to prove the inutility of these publications, because the instance you give us is that of historians who have written since those publications have been published, and have got their valuable information from works which have not been published; did I not understand you in addition to say, that they had obtained information from works the commission have published?—You forget that there are two branches of this commission; one is to

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collect materials for the history of Britain, and the other to collect information generally useful to the topographer and historian; now with regard to the works published by the commission, they are chiefly useful to the topographer; but those three works I have mentioned must be generally useful to the historian.

5509. Cannot you, looking to the case of a disputed point in the constitution or in the history or the manners of our ancestors, point out any one instance in which more accurate notions prevail at the present day, owing to the labours of the present commission?—I could point out a very curious record discovered and printed by Sir Francis Palgrave.

5510. We all know that that exists in the Record Office; but I want you to point out the influence it has had upon the histories of England that have been published since?—I think the publication of Doomsday Book is a sufficient answer to that, because previously to that time it was scarcely possible to get access to it; the historian could not give up the time or incur the expense necessary to consult it entire.

5511. I want to know what influence the publication of that work has had; I want you to point out any doubt in our history which that work has cleared up?—Since Doomsday Book has been published entire, it must be allowed to throw light upon the state of the country at the time of the Conquest, upon the numbers of the population, the state of society, the number of the churches, and other points.

5512. Do you mean to state that that was not known before the Record Commission published Doomsday Book?—Not so accurately.

5513. Not the general population of the empire?—No.

5514. I want you to point out one instance of any one obscure or disputed point in our manners or history which has been cleared up by any one of the works published by the commission?—I am not prepared to give any further answer.

5515. The Right hon. *C. W. Williams Wynn.*] Do you not imagine that the inedited chronicles and the inedited records in the British Museum, to which you mention Dr. Lingard and Mr. Sharon Turner have had recourse, were pointed out to them by the catalogues of the Harleian, Cottonian and Lansdowne collections, that have been printed under the authority of the Record Commissoners?—Yes, I should conceive so.

5516. Mr. *Pusey.*] Are you not of opinion it would be a great advantage to other historians that some of those chronicles should be published?—All of them; and such is the object of that branch of the commission which embraces the collection of our national historians.

5517. And that it would be the means of accomplishing a great saving of time?—Yes.

5518. *Chairman.*] The instance you have given now to Mr. Wynn is an instance of the advantage derived from the catalogues published by the commission?—Yes.

5519. You think the publication of those catalogues has been useful?—Yes.

5520. Did you write a letter, on the 3d of January 1833, to the Commissioners of Records?—I did.

5521. Am I quoting correctly when I quote this passage: "The large fees required at those offices, and the obstacles placed in the way of literary men, by some of those persons entrusted with the care of the records, have made me unwillingly relinquish all attempts to gain information, only to be acquired by incurring a heavy expense, or an unpleasant personal obligation"?—I believe that to be a correct quotation.

5522. That is a complaint you made to the board?—It is a statement I made to the board.

5523. In the form of a complaint?—Yes, if you please.

5524. What did the board do in consequence of that letter?—I received no answer.

5525. Are you aware that the board removed the evil complained of?—I have this to state, that, subsequently to that application, Mr. Cooper offered me free access to the records in the Augmentation Office.

5526. When was that; was it immediately after, so that you can say it was in consequence of the letter?—I cannot say that it was in consequence of it; it was after the death of Mr. Caley.

5527. You got no answer to this letter?—No.

5528. It is addressed to Mr. Cooper, the secretary?—Yes.

5529. And

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5529. And subsequently you were offered free access to the Augmentation Office?—Yes.

5530. Do you know whether that privilege was extended to other persons in the same situation?—I do not know. I have also at the Tower always received the greatest assistance from Mr. Hardy, in obtaining access to any document there.

5531. The Right Hon. *C. W. Williams Wynn.*] Had you any verbal communication with the secretary of the commission with respect to this letter before you wrote it?—Yes, certainly; it was, I believe, for the purpose of bringing the question of fees before the notice of the board.

5532. *Chairman.*] The statement of the evil is perfectly true?—Yes.

5533. We may take it as a statement of the obstacles you met with?—Yes.

5534. And you do not know of any measures taken by the board to remove the obstacles?—I am not aware of any.

5535. Sir *Robert H. Inglis.*] Was that letter written at the request of the secretary?—It was, to bring the question of fees before the board.

5536. Then, if no written answer were returned to you, but you received such increased facilities as you desired to have, do you or do you not consider that, practically, you had such a return as a letter so written might expect to receive?—Certainly not; because the facility offered me was merely at the Augmentation Office, but at the Rolls Chapel and many other offices there is no facility whatever.

5537. The question referred to your not having received a written reply?—I conceive I ought to have received a written reply, stating the determination of the Board.

5538. Sir *Charles Lemon.*] That facility was afforded to you individually?—Yes.

5539. You are not aware of similar facilities to the public?—I am not aware of any; there may be.

Sir *Henry Ellis*, called in; and Examined.

Sir *Henry Ellis.*

5540. Sir *Robert H. Inglis.*] YOU are Principal Librarian of the British Museum?—I am.

5541. In the course of your historical pursuits have you had occasion to use the publications of the Record Commissioners?—To a very considerable extent.

5542. Have you found them of assistance in any of your pursuits?—I have found them of the greatest assistance; particularly when I was editing Dugdale's Monasticon. I was the chief editor of that work, and I found references to information in the publications of the Record Commission which I could not have procured from any other quarter.

5543. From your knowledge of the stores of national records, do you think that the selection of publications, and which selection has been made under the authority of the commissioners, has been made judiciously?—I think decidedly so.

5544. Do you think that the works selected by the present commission are equal in importance and utility to those which were selected by former commissions?—Quite so, considering the extent of time which the existence of the present commission goes over.

5545. Have you perceived any improvement, or otherwise, in the works that have appeared under the existing commission, as compared with the works under former commissions?—I think, generally speaking, there has been a great improvement, and for a reason which I will give. I was myself employed at an early period by the last Record Commission, and I was perfectly aware, at the time that commission was established, that it was difficult to find competent persons to prepare and superintend their publications; and I have no doubt that some of the works were then edited by persons who would not have been selected by the present commission.

5546. Do you think that the historical literature of the country has been influenced, beneficially, by the works published under the successive commissions?—I am of opinion that the general history of the country has been written with greater advantage since the publication of the record works.

5547. *Chairman.*] Owing to them?—Owing to them.

5548. Sir *Robert H. Inglis.*] Including under the term record works the series of catalogues, with which I believe, in order of time, those works commence, and extending your answer down with reference to the latest works that have issued under the

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the authority of the existing commission?—I beg to state that in the year 1801 Mr. Planta had finished the Cottonian catalogue, and the contents of that catalogue threw almost a new light upon English history. In Smith's catalogue, (the only catalogue of the whole collection which preceded it,) all the volumes of letters and all the volumes of miscellaneous historical information were named under a single title of perhaps four or five lines, or in very few sentences. Every letter and important document contained in the different manuscripts was inspected by Mr. Planta, preparatory to his catalogue, and a separate title given to each article, however small; by which means our general historians of late have received great benefit: and though Dr. Lingard and Mr. Sharon Turner may not have quoted this or the Lansdowne catalogue as works of the Record Commission, their references for facts in certain periods were almost entirely drawn from the catalogues published by the Record Commission. I allude particularly to the Cottonian and Lansdowne catalogues. The frequent reference by those historians to single letters in the Cottonian and Lansdowne collections would prove the fact to any one who chose to look into their volumes. The manuscripts in the Cottonian collection marked Caligula, B. C. D. E. (more than 40 volumes,) in Smith's catalogue, under general titles of two lines each, occupy in the whole no more than two columns; and the contents of not one separate article are named. In Mr. Planta's catalogue the detail of the contents of those same manuscripts fills 279 columns (p. 46 to 187) and gives 5,860 titles of detached letters and documents, all of deep importance to English history, which were before hidden. I could name many more such instances, but this I think sufficient.

5549. Can you state to the Committee whether the French government have or have not had agents in England to transcribe at the Museum, or other public libraries, documents relating to the history of France?—There is a gentleman of the name of M. Michell, who has been for two or three years in our reading-room making and superintending transcripts, both of an historical kind and illustrative of the ancient literature of France. I have had frequent communications with him.

5550. Is it your opinion that the encouragement of such labours is worthy the attention of the French government, or of any enlightened government?—Unquestionably.

5551. Looking at the series of works which have issued under the authority of the Record Commission, do you consider that they reflect honour upon the nation?—Undoubtedly I do.

5552. Do you think that if the Government did not undertake such works that they could have been published, or would have been published, by booksellers as a private speculation, which would have answered to themselves?—No individual bookseller, or company of booksellers, would have been likely to enter into such a speculation.

5553. From your experience as a literary man, and acquainted with the archæological pursuits of others also, what probability is there of remuneration to a literary man by the public sale of any work consisting of original documents, as distinct from the history which they might illustrate?—I hardly know how to answer that question fully. I should say none. At the time I published my first series of original letters, and afterwards a second series, the advice I received at an early day from my bookseller was, "Pray, Sir, give your work any name but that of State Papers;" it was considered a name that would not sell the work; that with it, it would fall heavily from the press. And I was told that Lord Hardwicke's State Papers did not succeed at the time of publication, from having a bad title, that is, one which did not call attention or excite curiosity.

5554. Do you know under what circumstances Thurloe's State Papers or any other general collection may have been published?—I do not recollect, but I should conceive there must have been either public or extensive private encouragement given; I can hardly think that those works were undertaken as speculations.

5555. If successful, assuming that the sale of such a work has been successful, do you consider that the publication to which your attention is now directed is at all analogous to the publication of those works issuing under the Record Commission; in short, does it consist of what may be regarded as records?—I think, in a great measure, certainly.

5556. You do not therefore mean that the term records is at all confined to legal instruments?—No, I conceive not.

5557. The documents published under the authority of the Record Commissioners have been in a great measure confined to documents more nearly approaching

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ing to the legal character of records; will you state your opinion of the value of such publications, confined as they principally have been to the legal instruments:—what is your opinion, to take in the first instance the Pipe Rolls, of the value of such publication?—The Pipe Rolls are extremely important, because they in part belong to a very early and dark period of our history. They are important both to general history and topography, and very serviceable to the genealogist.

5558. What do you think of the Close Rolls?—They are certainly important; but I am less acquainted with them than with the Pipe Rolls. I know they form a great fund of materials for history.

5559. What is your opinion of the value of the Privy Council Books as published by Sir Harris Nicolas under the authority of the Commissioners?—I think they form one of the most important publications for English history that I have seen for a length of time; the early history of Henry the Fifth and the Welsh wars are newly developed in those volumes.

5560. What is your opinion of the value of the publication of the Rolls of the Curiæ Regis?—They are judicial proceedings which illustrate manners as well as history.

5561. Are you at all acquainted with the "Collection of materials for the History of Britain"?—I have seen most of the materials, I believe, which have been prepared for Mr. Petrie's publication from time to time.

5562. What is your opinion of the plan of that publication, and supposing your answer should be in favour of that plan carried to a certain period, is it your opinion that the same plan should be continued or varied in regard to later periods, specifying the periods respectively?—As far as the talent and ability of Mr. Petrie go, I should be quite content to have the chronicles in the form in which he is about to give them; but I myself should have preferred, if the work had not been placed in his hands, the publication of the historians themselves separately; I mean the integral work of each historian.

5563. You would have preferred the plan of Muratori to that of Dom Bouquet?—Yes; but the work is in the hands of a man so able to conduct it, that I feel quite satisfied.

5564. The former question had reference to the existing plan, namely, that which has been adopted similar to that of Dom Bouquet in reference to the period previous to the Conquest, being applicable to a later period, and whether that plan might be varied, and that of Muratori adopted in respect to a subsequent period, and you are requested to specify the period, if in your judgment such variation is desirable, at which it should commence; will you be pleased to state to the Committee whether you regard it as expedient to adopt the plan as it is at present in the hands of Mr. Petrie down to the period of the Conquest, and resume the publication of that work upon the plan of Muratori subsequent to that period, or varying the period according to your sense of its fitness?—If it is to be varied, I would adopt the period of the Conquest to begin the change.

5565. In a previous answer you have laid considerable stress upon the peculiar fitness of Mr. Petrie, entitling him to your confidence in the conduct of the work, which necessarily requires more judgment than the reprint or the publication of an integral work?—Yes.

5566. Do you consider that, practically, you are giving your confidence—in any work compiled on the plan of Dom Bouquet—to the original author whose works are extracted, so much as to the editor by whom they are extracted and brought into juxta-position; in short, have you in any instance the full value of the testimony of the original author as he himself gave it, or have you not that evidence as it may be selected by the judgment of another person reading such original authors?—My very long acquaintance with Mr. Petrie, and my perfect knowledge of his zeal and fidelity, and that peculiar tact which he has in the examination of old English history, induce me to give him my fullest confidence: but I should doubt very much the propriety of giving that confidence to a man who had not spent the greater part of his life in reading history previous to his undertaking such a work.

5567. Supposing that you would prefer that the work should be continued upon its existing plan so long as it should continue in the hands of Mr. Petrie, would you or would you not recommend that it should be so continued in any other hands to which the work might hereafter be committed after the death of Mr. Petrie, prior to the completion of the work now very safely committed to his hands?—I should, under such circumstances, consider that the completion of such a work, even previous to the Conquest, ought not to be left in the hands of any individual other than Mr. Petrie; it should at all events be with a small council of individuals.

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5568. In what language does it appear to you that the preface and notes to such a work ought to be written?—Decidedly in English.

5569. *Chairman.*] You have stated that you thought the publications of the Record Commission have had an useful effect on the writing of history; and you gave, as an instance, the information which, you were convinced from their references, Dr. Lingard and Mr. Sharon Turner must have derived from the catalogues published by the commission?—Yes, through the medium of the catalogues, because, as I have mentioned, the single articles and letters of most importance to history were not specified in the old catalogues, nor till those came out which have been published under the auspices of the Record Commission.

5570. You think those catalogues have conferred a very great benefit on those writers?—I do.

5571. That they have given them a clue that they did not possess before?—Certainly.

5572. Have Dr. Lingard and Mr. Sharon Turner, as far as you can perceive from their works, derived all the information that they could have derived from the documents in the Chapter House, the Rolls Chapel, or the Tower or the Augmentation Office?—I have no means of knowing the access they had to those offices; but I should think that during the periods prior to Henry the Eighth and Edward the Sixth they would not have found much in the Augmentation Office.

5573. Do you think they have derived all the information that an historian would wish to have from those offices?—I have no knowledge of their having made application for admission to those offices.

5574. Do you think that they have consulted documents in those offices?—I do not recollect any references to them.

5575. Do you not think if they had had catalogues of the documents in those offices, similar to those published by the commission, which you describe as being so useful, that they might possibly have been referred to the valuable information contained therein?—No doubt. Will you allow me to say, that I conceive English works on topography have put on an improved aspect since 1800, owing to the facility which the works of the Record Commission afforded to different writers in point of reference. The record volumes gave dates and places and names, which enabled them to refer to the records themselves, and improve their works, not only in information, but in accuracy.

5576. Particularly those catalogues?—Yes, and the other works; the Inquisitiones Post Mortem, for instance. Previous to the year 1800, I know from experience, if I had wanted to trace any property in Oxfordshire, Northamptonshire, or any other county, we had manuscript calendars from several offices containing such information in the Museum; but you were obliged to pass your finger down the page for the county in the margin, and to go through the volume, probably to make very imperfect selections; whereas, when the Record Commission came to print better calendars and catalogues, and put indexes of persons and places to them, it is impossible to conceive what facility was given, and what time was saved, in such researches.

5577. You have published a work entitled Selections from English History?—"Original Letters, illustrative of English History."

5578. Those I think are from originals in the British Museum?—Chiefly.

5579. Any from the record offices?—I think there are one or two from Lord Lisle's correspondence, in the Chapter-house, which Mr. Caley favoured me with, and one or two from the Tower.

5580. Should you have known of those in the Chapter-house if Mr. Caley had not supplied you with the information?—I was upon intimate terms with Mr. Caley, and occasionally looked over the documents there; but if I had not had the Cottonian catalogue, although I was keeper of the manuscripts at the Museum at that time, I should not have produced the work with anything like the rapidity I did.

5581. That is to say, that an accurate catalogue supplied you with a clue to the information contained in those collections?—Yes, to a great extent.

5582. And not having that clue in the other offices you could only avail yourself of that information furnished by the respective keepers?—Just so.

5583. Do you not think if a good arrangement existed in the record offices, if they were brought together, and such as required it were transcribed, and above all, if catalogues as good as those of the Harleian and Cottonian manuscripts were prepared and printed, and the whole thrown open to easy access by the public, that

that works similar to yours would be undertaken by authors and published; I mean similar, so far as they are selections from a great mass of records, of which some are valuable, but the whole not interesting to the public?—Yes. Sir *Henry Ellis.* 17 June 1836.

5584. Do you not think that the publication of such selections of those parts of that information which are most interesting to the public would have a very good effect, in exciting the public curiosity and referring them to those original sources from which history would best be written?—No doubt.

5585. You think, if proper facilities were afforded for access to the records, and a proper clue to the information contained in them, that such works might be undertaken by individuals?—Yes, certainly; but our record offices must be placed under safe and particular charge, because there are documents contained in them that relate to the descent of property, and it would be desirable to keep the great mass of the public from indiscriminately using them.

5586. You would have no objection to let in people of whose respectability you are perfectly assured, under proper precautions, to investigate them; you see no objection to that?—No, I do not.

5587. Mr. *Pusey.*] Should you consider a selection of that nature as superseding the necessity, on the part of the historian in the compilation of such a work, of referring to the original documents from which that selection was made?—No, certainly not.

5588. And, therefore, you think it would be desirable that the public, to facilitate the labours of the historian, should publish *in extenso* many such original letters and inedited chronicles?—Yes.

5589. Are there many such documents in the British Museum which you think it would be material to publish?—There are some inedited chronicles, I believe, but Mr. Petrie is quite aware of them, and has them in his list to use in continuing his great historical work.

5590. *Chairman.*] You did not suppose that I meant that selections were to supersede the original documents?—No, certainly.

5591. But do you not think that the publication of such selections as are most interesting to the public would have a very excellent effect, in exciting historical curiosity and directing it to proper sources?—Certainly, a very beneficial effect.

Lunæ, 20° die Junii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert Inglis.
Dr. Bowring.	Mr. Hawes.
Mr. Pusey.	Sir Charles Lemon.

MR. CHARLES BULLER, IN THE CHAIR.

Rowley Lascelles, Esq. (one of the Masters of the Bench of the Honourable Society of the Middle Temple), called in; and Examined. *R. Lacelles*, Esq. 20 June 1836.

5592. *Chairman.*] YOU were a member of the Irish Record Commission?—I was; but that was 16 years ago.

5593. You have presented a petition to the House of Commons, complaining of the conduct of the Government towards you, and also of the conduct of our new English Record Commission?—Yes.

5594. You presented that complaint?—Yes.

5595. Have the goodness to state the substance of your complaint?—That is done very succinctly in my petition, and much better than I could do in an oral statement; it would not occupy more than three minutes if I were to read it out.

5596. Did you agree with the Government to compile and edit a work entitled the "Liber Hiberniæ"?—I did.

5597. With whom did you make that agreement?—With Mr. Goulburn.

5598. In what capacity was Mr. Goulburn?—He was Chief Secretary for Ireland. I made it not as connected with the Irish Record Commission; I was wholly unconnected with it at the time; I had ceased to have any communication with it or towards it; I made it as a private individual.

5599. You were not then in the commission?—No.

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5600. Had you formally resigned?—I had not formally, but I had substantially; not expressly, but in fact; for I had returned home to England, and Government consented to make use of the materials I had collected in Ireland.

5601. In what way did you make the agreement with Mr. Goulburn; was it a written agreement?—There was a bond, but in the course of two years, the agreement was opened and extended.

5602. Where is that bond?—I suppose that it is in the possession of the Treasury.

5603. You have not got it?—No; it was waived, and we made a new arrangement in 1824.

5604. Was that written?—No.

5605. Are the conditions of it stated in writing at all?—No; the agreement was partly executed at the time, and every year the execution of it proceeded on my part, and there was an annual settlement and periodical approval of the work.

5606. What was the substance of the agreement; that you were to do this work, and receive a certain pay?—To do the work, and receive a provisional salary *ad interim* of 500*l.* a year; and it was understood that at the end I should be suitably provided for.

5607. How do you mean provided for?—Either in the way of some employment being given to me, or in any other way that the Government in its own conscience should choose to provide for me. Here is Mr. Goulburn's letter acknowledging the agreement afterwards; but in the meanwhile there was a part execution at the time; each year it went on—[*the Witness here showing the work*]—in this way, in seven or nine parts concurrently printed. The integral design and plan were denoted in the title-page and table of contents.

5608. How much did you print the first year of those parts?—The first year a considerable portion of Part the Second; I cannot charge my recollection with the details as to the other parts chronologically, but it went on rapidly; in the course of five years these two volumes were thrown off.

5609. They were published in parts?—Yes; the parts were paged distinctly in order to be printed concurrently.

5610. When printed, were they laid before the Government?—Yes, immediately. Sir Thomas Tomlins was the agent between Government and me; he received them; Government approved of them, and I received that provisional 500*l.* a year.

5611. The agreement not being written, the proof you give of it is, that your work was done according to the obvious understanding of such an agreement; that the work was laid before the Government, and you received pay for it?—Yes, that there was continual execution and payment on the foot of it; here is the letter of Mr. Goulburn, written at my desire in the year 1832, acknowledging the agreement that he made with me.

[*The Witness delivered in the following Letter*:]

My dear Sir, Betchworth, 23 April 1832.

Your letter, forwarded by the coach, has just reached me, and as the post is on the eve of being despatched, I am obliged to write a very hasty reply. I cannot undertake to say from recollection what was the precise arrangement made with you at the different periods to which you refer, but there must be memoranda or letters in the Irish Office and Treasury detailing all that any department of Government can now desire to know. My view of your case has, as far as I recollect, been uniformly that you should be permitted to complete the work in which you were engaged at the time of your departure from Ireland, and which I, on Lord Redesdale's recommendation, authorized you to undertake when I was Chief Secretary for Ireland. Whenever the question has been subsequently brought before me, I have always advocated the same course, namely, the completion of the work; and if I were now to give an opinion, I should certainly do the same. I have no doubt that this opinion of mine has been made known to you at different times, and if, therefore, any other course be now pursued, I think you will have some reason to complain that your just expectations have been disappointed. I am sorry, in the absence of all papers, to be obliged to speak from general recollection, and therefore to be unable to give you the precise reply which you appear to expect from me.

Believe me, my dear sir, yours ever most faithfully,

Henry Goulburn.

5612. So you went on for five years printing this work and receiving 500*l.*?—Yes.

5613. Did you receive, from 1824, 2,500*l.*?—From 1822 till the end of 1830.

5614. You received 500*l.* a year?—Yes.

5615. That

5615. That is 4,000*l.*?—Yes.

5616. When was the stoppage of the work?—The work was stopped by an order under the Wellington administration, on the ground of retrenchment and public economy; but towards the close of that year Sir Henry Hardinge took steps to countermand such order.

5617. State the date when it was stopped?—January 1830.

5618. By whose orders?—By the order of the Irish secretary, Lord Francis Egerton: then in some months after Sir Henry Hardinge, as chief secretary, revoked or countermanded the order of Lord Francis Egerton. Here is a letter from the under secretary acknowledging that Sir Henry Hardinge had put my name down for the next two years' salary.

My Dear Sir, Great Queen Street, Saturday Morning, 21 April 1832.

I can have no hesitation in stating in answer to your note of yesterday, that Sir Henry Hardinge (had he continued in his office) intended to propose a vote of 1000*l.* to Parliament (or two years' salary) for the years 1830 and 1831, at the end of which period you expected to be able to close the two volumes of the work, entitled the "Liber Hiberniæ." Believe me, my dear Sir, yours very faithfully,

C. W. Flint.

Sir Henry Hardinge not only proposed to do it but did it, and the item was put into the estimates, which covered 1830 and 1831.

5619. Sir Henry Hardinge was not in office?—No, not at the beginning, but towards the end of 1830, when he made the arrangement; it was inchoate only.

5620. Did you go on with your work?—I went on revising it; but the press was stopped.

5621. Did you receive any pay for 1830 and 1831?—No; but the Treasury made me an offer of 500*l.* upon a receipt in full of all demands. I declined acceding to it on that condition, and two years afterwards the late Speaker, Lord Canterbury, induced the Treasury to pay the money without that condition, as I had particular occasion for the money at that time. I received it "on account;" they waived the condition, because I positively refused to renounce my claim.

5622. What did you receive?—Five hundred pounds, which paid up the year 1830.

5623. When was this?—In the years 1832 and 1834, in two payments of 200*l.* and 300*l.* severally.

5624. You still claim payment since 1830?—Certainly I do, till the work is completed.

5625. Did you receive any order from the Treasury then to continue your work?—No.

5626. What has been done since about your annual payment?—I have received none.

5627. In 1832 did the Government say it considered this engagement with you at an end?—No, they merely paid that money, I refused to give a receipt so worded; it stated merely "Received so much of the Lords of the Treasury," and signed with my name; and I wrote to Colonel Stewart at the time to draw their Lordships' attention to that point specially.

5628. You think that your agreement is still existing and binding, and that you are entitled to 500*l.* a year for all the years since 1830?—Undoubtedly.

5629. Have not the Treasury given you in any way to understand that they do not consider the agreement binding?—Yes, they have.

5630. When do they say they put an end to the agreement?—In fact at the expiration of the year 1830, or in August 1831; but they notified it to me in writing in August or September 1832, for the first time. They referred the matter to the Board of Records in 1831, which reported upon the work.

5631. Did the Record Commission report upon the work?—In the following year; but I want to show and prove that the determination of the Treasury not to go on with the work was father to the report, and not the report to the determination.

5632. How do you prove that?—Besides the internal evidence of the transaction, in many ways; but I think I can even prove it in this way: there is a copy of the "Liber Hiberniæ" presented to the British Museum, and on the fly-leaf are these words: "The Liber Hiberniæ was not compiled under the direction of "the Record Board." [That is true.] "It arose from the Treasury. In 1831 the "Record Board was requested to report upon it, and it is understood that in consequence of that report the further prosecution of the work was suspended." The report did not come out till 1832, and this was written in 1831.

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5633. How do you know that?—This was written when or before the book was presented; there it is in the copy; the book speaks for itself when it was presented.

5634. In whose hand-writing is that?—I suppose in the hand-writing or by the orders of the person who presented the book.

5635. Do you know any thing of the hand-writing?—I do not know any thing of the hand-writing. That can be ascertained.

5636. Then all that this amounts to is, that in a certain book in the British Museum such and such a fact is stated?—Mr. Cooper has sent that book, and made that advertisement in it, which is evidently untrue.

5637. How do you know that Mr. Cooper sent it?—I presume it very strongly. I inquired of one of the librarians, and he told me it was understood to be Mr. Cooper.

5638. Under the Record Commission?—Yes.

5639. How do you know that Mr. Cooper, or whoever wrote it, wrote it before the report was presented. When was this volume presented?—I do not know, nor is it essential to know it.

5640. I think it very essential; you give that as a proof that before the report was presented it was determined that the work should be stopped?—Yes, that the determination was father to the report.

5641. It would go some way to prove that if you could show when this was written?—It was stopped in point of fact in 1831.

5642. Can you prove when it was written?—I imagine it is enough to presume that it was written at or before the time the book was sent.

5643. How do you know when it was sent?—That must be upon presumption.

5644. You have forgotten the most important part of this paper, namely, the date of its being written?—It has a date in the body of it that convicts it of a mis-statement; that paper says what is perfectly true, that the work was finally stopped in 1831, by the then Treasury, and then forgetting the truth, it says that it was in consequence of the report of the Board of Records. Now, the report was long subsequent, nine months subsequent to the second stopping of the work; therefore the stopping of the work gave rise to the report, and not the report to the stopping of the work.

5645. The claim you come before the Committee to substantiate is a claim for 500*l.* a year since the year 1830?—Since the close of the year 1830.

5646. On what do you found that claim?—I had given up 20 years of my life to this work.

5647. On what agreement?—Lord Redesdale is not alive who conferred with me and Mr. Goulburn about it; but in such undertakings it is common sense.

5648. I understand this, your claim is not for work done on the authority of the Treasury, but on the ground of their having entered into an agreement which they could not break at their pleasure?—Yes; that is my case.

5649. Your ground is not a claim for work done, but a claim under an agreement under which you ought to have been allowed to have completed the work and earned the ultimate consideration as well as the provisional salary?—Yes; that is my case.

5650. That claim is founded, not upon any considerations of equity, like a *quantum meruit*, but upon a specific agreement; where is that specific agreement?—There is none such, or if there were, it was waived. I stand on the agreement of 1824.

5651. What proof have you of it?—That is the proof of it [*pointing to the two volumes*], allowed every year.

5652. It amounts to an agreement to do certain work, and that is the proof that the work was done in performance of the agreement, because the party who made the agreement received it and paid you for it, and made no objection; but what you have to substantiate is this, not only that they made an agreement with you to do the work in that way, but that you were to finish the work in any time you pleased to take about it?—Any reasonable time, acting diligently and *bonâ fide*, to the best of my ability.

5653. That they had no right to stop the work?—None whatever.

5654. That is the matter upon which we want proof; the Treasury say we have a right to stop it in 1830, and we will not pay you for any thing beyond that?—This is an integral plan, as it is stated in the title page; it went on from year to year, and as clearly as a radius describes a circle, this points to a definite conclusion, independently of any caprice of either party.

5655. There

5655. There is no doubt of its having an integral plan, but what proof have you that the Treasury, when they made the agreement with you, authorized you to consider that they had no right to break it off till you had executed that plan? —It is always implied; if you desire an architect to build a house, and he has built all but a closet and staircase, it is intended he should complete the house. This is an entire subject like a building; I have executed nine-tenth parts, and it is implied that the remaining tenth is to be executed.

5656. Suppose the Treasury is dissatisfied with that which is done?—They should have come to me, but they have never said so; they did not dare do it; they wanted to get rid of it and save the money; they were sick of these works.

5657. Suppose they did want to get rid of the work and save the money, can you say it was a breach of an agreement?—It is a capricious and despotic breach of agreement.

5658. What agreement have you?—There is an implied agreement, with an instant, actual and continual performance and approval of the work and provisional payment.

5659. What proof have you of an agreement for the continuation till it was finished?—The title page is enough, with the bare view of the work itself.

5660. That is your proof?—Yes; look at the title-page, look at the description of the work.

5661. That is your claim against the Government?—Yes; but it is really necessary I should exhibit something of the nature of the work.

5662. You state in your petition you have a letter of Lord Redesdale's, who was witness to the original agreement; do you mean the agreement of 1822 or 1824?—Both; 1822 and 1824.

5663. That of 1822 is not the existing agreement?—No.

5664. In the original agreement of 1822, is there any stipulation for the completion of the work?—Yes; but of 1824, not; that was understood from the very nature of the undertaking, no part of which was in writing.

5665. Have you any witnesses that could prove the fact that the Treasury considered itself bound to go on paying you a salary till you had finished the work? —Mr. Goulburn, Sir Henry Hardinge. But Sir Charles Flint, the King's Printer (Mr. R. Spottiswoode), and Mr. Cayley, are dead. Sir T. Tomlins is settled in France for life. Lord Canterbury assured me he would confer with Lord Grey or Lord Melbourne upon some favourable opportunity, and he was sure the Government would not resist such a claim. But they are all wrong about it; they do not understand it, or they have been sporting themselves with me.

5666. That is your complaint against the Government, and the nature of your claim?—Yes, and my claim is for specific performance or compensation.

5667. What is your complaint against the Record Commission?— My complaint against the Record Commission is this, that they have reported upon the work; and the Treasury having promised me, on the reference being made, that I should see the report, they have suffered the secretary, at his own movement, or under their authority, to make it a sealed and secret one *from me only*.

5668. In 1831, the Treasury wishing to know whether your work was a proper one to be continued, referred it to the Record Commission, and they made a report, in consequence of which your work was stopped, and you complain that that report was not shown to you?—Yes; but I do not admit all that is stated in the question. The Treasury wished to get a colourable case to get rid of the work; they were tired of it, they changed their minds and politics; and I am told by that notice on the fly-leaf of the Museum copy and from the Treasury, that it was in consequence of the report. I deny it; I say the report was in consequence of the pre-determination of the Treasury.

5669. Then the report did you no harm?—Yes, it did; it furnished the Treasury with plausible authority to persist in its wrongful determination, instead of setting it right.

5670. Your charge against the Board is, that they made their report and you have not seen it?—Here is a reference between two parties; the Treasury is one party, and I am the other. I condescended to appear before their Record Board. They had no power to compel me to appear, but I answered them with unreserved candour. They made their report, and the Treasury promised I should see it, and no doubt intended it at first.

5671. Have you seen it?—No. Mr. Cooper told me it was to be a sealed paper, and from that moment the Treasury declined letting me see it. There were

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six persons named on the Committee, Mr. Allen, Mr. Ker, Mr. William Brougham, and Mr. Pettit; and to give it some weight by adding some respectable names, they added those of Sir Robert Inglis and Mr. Justice Bosanquet. Mr. Allen afterwards met Lord Jeffery one day, when Lord Jeffery said, "Have you ever looked much into the work?" "No, not I; and never shall," was the answer of one of these critical judges—one of these Treasury jurors.

5672. Will you explain to the Committee why you have not brought an action against the Commissioners of the Treasury?—Besides that it requires funds, which I have not at my disposal, to go to law with the Exchequer, and that so many principal witnesses are dead, I have been advised that without a written agreement there might be much cavil and difficulty raised; that the evidence is not sufficiently formal for either a court of law or equity; and therefore I am constrained to apply for redress to Parliament.

John Herman Merivale, Esq., F.S.A., and one of the Commissioners of the Court of Bankruptcy, called in; and Examined.

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5673. Sir *Robert H. Inglis.*] YOU have been a member of the council of the Society of Antiquaries?—I have.

5674. At one time you were engaged in antiquarian and topographical researches?—My pursuits have been principally professional, but at the period to which you refer I had formed the project of a topographical work, which I pursued with some degree of ardour till I found that its longer continuance was incompatible with the regular discharge of my professional duties, and I was then compelled to abandon it. The period to which I refer was principally between the years 1820 and 1824.

5675. At the time in question, had you occasion to make use of the publications which had issued under the authority of the Record Commission?—I had occasion for frequent reference to those which had then issued.

5676. The publications in question were the publications of the former Commissions?—Yes, they must be; I am not quite certain of the date of the present Commission. I can speak principally to the period from 1820 to 1824.

5677. In the pursuits to which you have referred, did you find those publications of material assistance to you?—Yes, very material; so much so, that I conceive it would have been perfectly impossible to carry on those pursuits, consistently with the attention which I was obliged to pay to my professional avocations, without the use of those publications.

5678. Could you, with any reasonable facility, have obtained that information which they gave you otherwise than by those publications?—Certainly not with reasonable facility, under any circumstances. As I was then situated, I could not otherwise have obtained the information at all.

5679. Will you specify any of the works which were of immediate use to you in the researches you have referred to?—I should specify the "Calendars of the Patent Charter" and "Hundred Rolls," that to the "Inquisitiones Post Mortem," and "Ad Quod Damnum;" the "Testa de Neville;" "Placita de quo Warranto;" "Plecitorum Abbreviatis;" and the "Calendar of Writs" called "Origindia." I have also referred to the Taxation of Pope Nicholas, but not so frequently as to the others.

5680. And the catalogues of the Harleian and Cottonian Collections?—Yes; those I have frequently had occasion to refer to; as also to that of the Lansdowne Collection.

5681. Generally speaking, do you consider those publications to have been of great assistance to you in your historical inquiries?—Yes; my historical inquiries were confined chiefly to the topographical object I had in view. My pursuit at that time consisted principally in making collections for future history: in point of fact, I never had the leisure to arrange those materials. But if I had proceeded to arrange them, I have no doubt they would have been of great and even indispensable service.

5682. Whatever may be the value of topographical researches, that value has been increased, and writers have been materially assisted, in your judgment, by the publications that have issued under the authority of the Record Commission?—Most materially so.

5683. *Chairman.*] You are speaking of the period of your own researches?—Yes; and I conceive, for this reason most particularly, that to persons similarly

situated with myself, whose professional pursuits occupy a considerable portion of their time, or who live at a distance from the original repositories, that it would be perfectly impossible for them to pursue the subject with success without having a constant recourse to indexes or calendars of the nature of those published by the Record Commission.

5684. Sir *Robert H. Inglis.*] Do you or not conceive that books of the class in question have assumed a better appearance since the publication of the works issued under the authority of the Record Commission?—As far as my observation has extended, I should say considerably so; and for that purpose I would refer to many I have had occasion to look into; Surtees' "History of Durham," Baker's "Northamptonshire," and the great "History of Wiltshire" now proceeding under the auspices of Sir Richard Hoare; and there are many others, Ormerod's "Cheshire," for instance, that may be mentioned, all which exhibit a most material improvement in that species of history over the best of the more early county histories, such as Hutchins's "Dorset," a work of considerable value, but of far less value than those recent publications.

5685. Could not the writers of those histories have themselves examined the materials in the repositories, as their predecessors had done, the Dugdales of a former age?—They certainly might, had they been so circumstanced as to have possessed easy means of access to the original records, and were either resident in London or in the habit of paying frequent visits to London, and not occupied by other pursuits.

5686. You think in this way facilities have been given to remoter writers to profit by those advantages which their predecessors could not have enjoyed without a journey to London, or the expense and trouble of a residence here?—I should most unquestionably say so; and more especially with reference to what I conceive to be one of the principal points of utility in these publications, namely, their enabling the historian to inquire into any particular fact by a reference at once to a considerable number of different records, and by comparing one with another, which was before impracticable.

5687. That advantage is now conveyed to every part of the country by means of the publications issued under the authority of the Record Commission, so far as those represent the treasures in the different Record Offices in London?—Yes, that advantage is given by the recent publications, so far as it is possible to be given by works in the nature of indexes and calendars.

5688. You think those opportunities for comparison are of great importance to the writers upon local history or upon the constitution and antiquities of the country?—I should think them of first-rate importance.

5689. And with respect to tenures, you would think it of importance for a writer to have an opportunity of comparing in his own study what he might find in the "Testa de Neville," the "Quo Warranto Rolls," or the "Hundred Rolls?"—I think so most undoubtedly; and I would illustrate that with reference to one of the books I have already mentioned, and to which I have had occasion to refer, namely, Baker's "Northamptonshire," in which the different and successive transmissions of property, even in its minutest divisions and ramifications, are given with a copiousness and accuracy of detail which I should myself have conceived almost impossible, and which could only have been done by constant reference and comparison of one set of documents with another.

5690. *Chairman.*] Were the rolls actually printed by the Commission?—Not in all cases; a very few, I should say.

5691. The facility that Mr. Baker had was the facility of reference, by the calendars and indexes published by the Commission?—Principally so, and I should imagine he must have been a great deal in London, and frequently referred to the original documents with the assistance of the catalogues and calendars, but of this I have no positive knowledge.

5692. Sir *Robert H. Inglis.*] If you were inquiring into any particular point of historical interest, such as the claims of Edward I. upon the Crown of Scotland, should you consider that such publications as have proceeded under the Record Commission would enable you in your own study more accurately, and more easily to determine upon the evidence, which several of those publications might furnish?—I have no doubt of it, and I imagine that their utility has been completely proved by the great use that has been made of some of those publications with regard to the point of history which you have mentioned, and many others by our recent historians, I should refer particularly to the valuable work of

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Hallam, on the "Middle Ages," in which he has made very frequent use of references to the "Fœdera" and the "Parliament Rolls."

5693. *Chairman.*] On which point is it you say that Mr. Hallam has had any better information, or promulgated more correct views than any previous historian?

5694. The "Fœdera" was published before the Commission was in existence?—There has been a greatly enlarged edition printed by the Commission.

5695. Can you say it was from the recent edition of the "Fœdera" that Mr. Hallam has made those discoveries you referred to?—I cannot be positive as to that fact.

5696. Sir *Robert H. Inglis.*] Do you know what is the value of the additions made to the last edition of the "Fœdera"?—I cannot speak positively as to the value of them, but my belief is that they are of very great value, as they are very extensive in point of magnitude.

5697. You conceive that the catalogues and calendars published under the authority of the Commission have been particularly valuable?—I conceive them to be so, and for the reasons I have specified with others.

5698. *Chairman.*] Do you not think it desirable that the Commission should have published even more?—I have no doubt that they are in the course of publication of other similar works, and that the importance of those already published will be greatly increased by those hereafter to be so.

5699. You would think it of importance that they should have published more?—Yes; I am not sufficiently acquainted with the nature of the unpublished records to say what is the precise degree of importance to be attached to each of them, but I have no doubt that there are many of great importance; perhaps fully equal to any already published.

5700. In the shape of calendars and indexes?—Yes.

5701. Sir *Robert H. Inglis.*] Your former answer had reference principally to topographical inquiries, but partly to general history; have you directed your attention to the assistance which the publications to which your attention has been called may have rendered or been likely to render in the prosecution of inquiries of a more strictly legal nature, that is to say, legal history and legal antiquities?—There is one publication I have had occasion to refer to in the course of my other pursuits, which I conceive to be an important accession to the knowledge of legal antiquities; I am referring to the calendars of early Chancery proceedings.

5762. In your view of the value of the different publications, great as you estimate it in reference to the topography and general history of England, and to the history of the law and the antiquities of the country, do you conceive that such publications could have been undertaken by any bookseller, or any associated booksellers, as a work of commercial speculation?—I should conceive that it was utterly impossible.

5703. So that unless they had been published at the expense of the Government, they could not have been published at all?—Clearly so.

5704. As a literary man yourself, and for years connected with the literature of England, you conceive that such publications could never have paid the individual publisher, or given him such a remunerating price as to induce him to undertake it?—I have not the smallest doubt that the undertaking must have involved him in ruin.

5705. Then in your view of the value of the works, and the operation of publishing them as an individual speculation, you think and wish the Committee to understand that in your judgment it is desirable that such works should be undertaken under the authority of Government?—Certainly.

5706. Does it follow from that answer that you consider that the continuation of the analogous series of publications should be prosecuted at the expense of Government?—I certainly do; and for the reason I have already stated, as forming one main ingredient in their present value from the light they throw upon each other by a comparison of one class with another.

5707. Do you or not consider that such a judgment has been exercised in the selection and the publication of the works in question, looking to the Commissioners who directed and to the gentlemen who have successively undertaken the task

task of editing them, as to justify a continuation of the same confidence in the same hands?—I have already said that my acquaintance with those records, which neither have been published themselves nor of which any calendars or indexes have been published, is not very great, but as far as my general knowledge extends to the contents of those records, I have no reason to believe that the Commissioners could have selected with more propriety than they have done. I am not aware of any that remain unpublished which it would have been more proper to publish than those which have been published by them.

5708. Are you aware that the attention of the original commission was specially directed to certain classes of historical and legal inquiries by the report of 1800, and by the address of the House of Commons?—I am aware of the fact.

5709. Upon the presumption that it is the intention of the Government to continue to devote a portion of the national funds to the promotion of objects connected with the literary, legal and constitutional antiquities of the country, do you consider that such an object is one specially deserving the attention of Government?—I do indeed.

5710. And that the Government will exercise a sound and safe discretion in employing a portion of the national funds for such a purpose?—I have no hesitation in answering that in the affirmative.

5711. From what you know of the conduct of other governments in respect to this subject, do you consider, without making them any authority for the conduct of the Government of England, that all the enlightened governments of Europe have been pursuing and are pursuing the same course?—I have nothing more than a very superficial acquaintance with that branch of the subject, but I have not the smallest doubt that all the enlightened governments of Europe would concur in the utility of such an undertaking.

5712. Dr. *Bowring*.] Have you any knowledge of the cost of the Commission from its commencement?—I am not aware of the expense the Government of this country has incurred with regard to the Record Commissions, nor what has been the comparative expenditure of other governments for similar objects.

5713. If you, who are an excellent judge of literary labours and works, were told that the productions of the Record Commission had cost half a million of money, what should you say to those productions as the result of that expenditure generally?—That is a question of such a nature that I do not feel competent to answer without a deal more consideration than I could give to it at this moment, but it does not produce the effect of startling me, especially if it is to be taken with reference to the total expenditure incurred in the prosecution of the several Commissions.

5714. Sir *Robert H. Inglis*.] The question assumes that the publications to which your attention has been directed, have cost the sum of half a million; as you describe yourself not to have seen any of the accounts of the Commission, and also not to be aware of the comparative expenditure of other countries, I will pursue the general matter of inquiry; namely, the value of the publications in the abstract which have appeared under the authority of the Commission; you have stated that your own experience of their value was principally limited to those that were published 15 years ago?—I should say, generally, from 1820 to 1824.

5715. Have you perceived any improvement or otherwise in the later works published under the Commission, so far as you have had any casual opportunities of consulting them, in respect either to the execution or the convenience of their form, or their comparative cheapness?—I do not know enough of the more recent publications, to be able to answer the question now addressed to me. I observe that several volumes have been added to the works that were in progress at the time when I was most conversant with them, and am not aware of any material alteration that has been made in the form or character of those works, which indeed could hardly be the case; and, with regard to new works since commenced, I am not qualified to speak; but I may be allowed to suggest what has occurred to me, certainly, when I was in the habit of consulting them, that it would be an object of great public convenience if they had been published in octavo.

5716. Dr. *Bowring*.] Previous to 1820, had your attention ever been called to the literary cost of publishing those works produced by the Record Commission?—Never.

5717. Do I understand your opinion to be entirely disassociated from the price paid for the labour employed?—Yes.

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5718. And you think, generally speaking, the literary works that have been published do credit to the Record Commission?—Yes, I do, very great credit.

5719. Will you mention any remarkable fact in history that has been elucidated by the early publications of the Record Commission?—

5720. Are you aware of the fact, that compared with the sums devoted by other governments to the examination of records, the sum voted by this Government has been immense?—I am not aware of the fact.

5721. Do you know what has been done under the authority of M. Guizot, Minister of Public Instruction in France with regard to public records?—I am not sufficiently acquainted with the nature or extent of those labours to pronounce any useful opinion upon them.

5722. You do not know the sum voted by the French Chamber for this purpose, nor the quantity of literary work produced for that sum?—No; I cannot speak with any certainty to that.

5723. Are you aware of the sum which has been expended by the Prussian government in promoting the labours of M. Niebuhr at Rome?—No, I am not.

5724. Sir *Robert H. Inglis.*] The Commission, in the present instance, consists of persons who are Honorary Commissioners, who direct the operations of the Sub-Commissioners and other persons more immediately paid for their services; do you think this a suitable constitution for such a Commission?—I should think it was.

5725. Do you or do you not think it of importance, in operations of the nature of those entrusted to this Commission, to have the authority of some of the most eminent judges and great functionaries, and their occasional advice and assistance?—I should think it extremely important; and I should also think, that the utility of such a Commission would be very considerably diminished if the great functionaries alluded to were not themselves named as members of the Commission, so as to admit of frequent and familiar access.

5726. You consider that the power of referring to the great legal functionaries, for instance, as members of the Commission, is of importance in the selection of the works for publication?—I could have no doubt of it.

5727. Do you consider that the Sub-Commissioners, who are paid, would be most advantageously employed in editing the works selected in the first instance for publication by a Board constituted as the existing Commission is?—I consider there are very distinct operations to be performed by such a Commission. There is first the duty of selecting and superintending, which is very different from the more laborious duties of carrying into effect the recommendations and working under the inspection of others; and my notion is, that the duties of the former class are duties which would not, in all probability, be better performed if any salary or pecuniary remuneration was attached to them. I would look in some degree, also, to the dignity and liberality that is attached to the present constitution of the Board, without any corresponding benefit that I should think likely to be derived from any alteration in its component features.

5728. Dr. *Bowring.*—What species of action would you give to the honorary members of the Commission?—That, I think, of inspecting and making themselves acquainted, in the first instance, with the actual contents of the Records, and selecting those which are most fit for publication, and the general superintendence of those publications when once put into operation.

5729. Would not that require the devotion of a great deal of time?—I should conceive not more time than gentlemen fully impressed with the importance of the situation, and the honours attached to it, would voluntarily incur.

5730. But engaged as those high functionaries are, in this country, do you think, whatever their desire and zeal might be, they can find time to make themselves masters of subjects so intricate, and exercise the active superintendence you suggest?—My opinion is, that that object might be accomplished without any great labour. I have not, however, intended to speak of Commissioners of the precise class to which the question refers, but rather to those whose time is more at their own disposal.

5731. Would

5731. Would you have reports made to them by their subordinates?—I should think that material.

5732. You would not have them examine the original records themselves?—In the execution of their duty they would frequently find it useful to refer to the original records, but it would be difficult to define what portion of time would be occupied in that way.

5733. Would you authorize any publication whatever without the sanction of the Honorary Commissioners?—I think not.

5734. Would not that require their constant superintendence and control?—I should think the superintendence and control of the periodical meetings of the Board, whether from week to week or fortnight to fortnight, as may be found requisite, and confined, perhaps, to the duration of the session of Parliament, would be frequent enough for all purposes. I have not the least doubt that many of the members would naturally, from their taste and inclinations, and being comparatively free from the pressure of other pursuits, devote much more time to it than others.

5735. Taking the period when you were pursuing pretty closely the progress of the Commission, what attendance would you expect from such a functionary as the Chancellor of the Exchequer, who is an honorary member of the Commission, in order that his opinion might be given upon matters connected with his department?—I wish to preface what I am about to say, by observing, that I have not had the smallest opportunity to watch the progress of the Commission; but my general impression is, that with regard to such members of the Commission as are invested with the high offices of the State, and the great law functionaries, it would be impossible to require their attendance, except when specially requested, the occasion for which would probably be of rare occurrence.

5736. Take one of the custodes, the Master of the Rolls; how often should you think his attendance necessary?—I should say never, except when specially summoned.

5737. I thought you meant that those honorary functionaries should attend once a week or once a fortnight?—No, I was speaking of those gentlemen who are not called upon to perform public duties so constant and burthensome as the individuals you have now mentioned. I consider that there are several members of the Commission who, notwithstanding they may also have other public duties to perform, have still a great deal of time at their own command, with sufficient leisure to attend to the business imposed upon them; while others, again, are altogether exempt from any official duties, and able to devote themselves still more entirely to the actual business of the Commission; and I believe that the Commission is more usefully constituted as being so composed, than if it contained only men of literary ease and leisure, although the number of the latter description might be increased if necessary.

5738. You think that some of the honorary members should give attendance weekly or once a fortnight?—Yes, I should suppose so.

5739. Sir *Robert H. Inglis.*] Without reference to any of the living members of the Commission, do you think that such men as the late Lord Colchester, the late Lord Redesdale, the late Sir William Grant, and the late Sir James Mackintosh, were competent, from their general knowledge of law, history, and antiquities, to decide, even without a personal examination of the records, as to the expediency of publishing the "Valor Ecclesiasticus," for instance, the "Hundred Rolls," or the "Chancery Proceedings?"—I have not the smallest doubt of their perfect competency for such a work.

5740. Dr. *Bowring.*] Those are highly distinguished persons; but for the general plan of a work, do you think those gentlemen would be able to give a detailed opinion without an examination of the records themselves?—Yes, I should think so. I will take the name of Sir William Grant, as one of those least connected with general literary pursuits, whose life was devoted to the science of his profession, who had a cultivated mind and an understanding of the highest order, whose time was occupied by the duties of his profession; after he retired from the office of Master of the Rolls he was more at leisure to devote his time to other pursuits, and his previous course of mental training qualified him most excellently for being consulted upon the subject referred to.

5741. Sir *Robert H. Inglis.*] The answer assumes that Sir William Grant was personally a member of the Commission; the question put to you did not assume that, but merely stated that he was of the Commission, being at such time

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Master of the Rolls, and officially a member of the Commission; the question proceeded upon the assumption that the four individuals to whom your attention was called were men who, from their general knowledge, without an inspection of the record, might at once say such a record is or is not a fit subject for publication?—I have no doubt that they would be most fit persons for that purpose; and in specifying Sir William Grant, I did so with this view, that having been principally devoted to the duties of his profession, it might be thought he was less competent than the other three to decide upon questions of that nature, for which my belief is that he was nevertheless eminently well qualified.

5742. Dr. *Bowring.*] If you were told that a number of records, years after the appointment of the Commission, had continued in a dilapidated and disgraceful state, should you think that the honorary members of the Commission have well discharged their duty?—My acquaintance with the records themselves is not very intimate; I have occasionally visited the Chapter House; I have been at the Tower, and at the Rolls Chapel and Augmentation Office, but I have not been frequently at either of those depositories, or examined them with very great care; in the Chapter House, more particularly, I should say during the time I did occasionally visit it, they were in a state of such extreme confusion, and were so very numerous, that I should imagine a very large portion of time must necessarily be occupied in reducing them to any thing like a state of order; the state of confusion in which they were was such as to render it, in my mind, almost a hopeless task to preserve, restore and arrange them.

5743. Should you not think it a very important part of the duty of honorary members to visit the repositories to ascertain the state of the records and their arrangement?—Yes, I should certainly think so.

5744. Sir *Robert H. Inglis.*] The records, of course, are continually increasing, and it is understood there are no actual facilities in the existing repositories to admit of any safe and convenient arrangement; and with that impression, if it be your impression, do you consider it an object of national importance to establish a national depository which might contain the legal records of England?—In the course of my various occupations I was at one period occupied in reporting the decisions of the Court of Chancery, and subsequently I had the honour of being appointed one of the Commissioners of Inquiry into the practice of that court, and in the course of the execution of both these duties, I had not only frequent occasion to refer to the repositories in the Registrar's Office, but sometimes also to the original records themselves, and I then saw what appeared to me to be a very deplorable state of things as to those records, namely, that from the want of room it was necessary to divide them into different portions; a large portion of them, the more recent ones, were classed and very well arranged in the cellars, I think, of the Six Clerks' Office, in Chancery-lane; and as the records are augmented, and the repositories become not sufficiently capacious to contain them. they were drafted out from five years to five years, or every ten years, periodically, in large divisions, first to the Rolls Chapel, and also when that becomes too small for them, from thence they are carried off by cart-loads to the Tower, where they remain almost inaccessible. Those are the public records with which I have been most conversant; I cannot speak from my own knowledge so well to the others, but my general impression is that the depositories are altogether insufficient to contain them in any proper state of arrangement.

5745. You have specified the Tower; is it or not your wish to represent to the Committee that in your opinion the records in the Tower are in a state unsuited to their object, either as to safety or accessibility?—I cannot answer that question from actual observation, I have not been there more than once or twice, and that a considerable time since, and in speaking of the want of easy access I rather referred to the great remoteness from all the other repositories, and from the ordinary haunts of business, than to the state of the records themselves.

5746. When you said that they were carried by cart loads to the Tower you wished the Committee more to understand that they were removed to a distance from the ordinary haunts of professional men, than that they were, when there placed, in a condition unsuited to their value?—I cannot speak to their condition there.

5747. Dr. *Bowring.*] Should you consider it a special duty of the Honorary Commissioners to give their attention to the arrangement of the documents?—Certainly.

5748. Were you in 1820 satisfied that every thing had been done that was necessary

necessary to put the manuscripts into a proper condition, and to find for them proper places of security?—No, very far from it.

5749. It appeared to you at that period that the important duties of the Commission had not been attended to?—That they had not been completely executed?—How far those duties were then in the course of being executed I cannot precisely say.

5750. Sir *Robert H. Inglis.*] Are you aware whether under the King's Commission the custody of any of the documents passed to the gentlemen named in the Commission?—I cannot exactly say, most of the offices are, I believe, patent offices, and the custody would necessarily belong to the patent officers.

5751. Dr. *Bowring.*] From your experience have you any reason to suppose there has been any resistance on the part of those who have the custody of the manuscripts, to the suggestions made by the Commissioners?—I am not aware of that being the case.

5752. Do you not think in the general result that it would have been perhaps better if a smaller sum had been devoted to the publication, and a larger sum to the arrangement and safe keeping of the manuscripts as a preliminary proceeding?—I can scarcely answer that question without reference to the existing state of the records; with reference to the state of the records as they were in the year 1820, I should say it was very much to be lamented that they were not in a state of better arrangement, and that the Commissioners if they had the means had not devoted more time, and more trouble and more of the funds allotted to them to that arrangement.

5753. Supposing the Commissioners possessed for example, 10,000*l.* a year; with your knowledge of the literary world, and literary men, do you not think that that sum would very soon have enabled them to complete to a great extent the examination and arrangement of the whole mass of records?—I can hardly pretend to form any opinion upon that subject; I should say generally that my impression is, that the proper duty of the Commissioners was to see to the preservation and arrangement of the records; and if there was any obstruction in the way of their proceeding, of course it would be their duty to represent it to the Government, and to get powers to remove those obstructions if they existed.

5754. Their not having the custody did not prevent them making any suggestions they thought necessary to forward the views of the Commission?—No; and it was their duty to represent to the Government the obstructions that were in their way if any existed.

5755. Did I understand you to say in 1820 that all the records in the offices you had an opportunity of consulting were in an unsatisfactory state?—I was speaking of the Chapter House, I should say that they were all capable of a much better state of arrangement than they were placed in; they required it, and loudly called for it; but a great deal of the disarrangement and confusion in which they were placed arose to the best of my judgment from the want of proper space for the arrangement of them.

5756. On the whole are you satisfied with what has been done by the Record Commissioners; are the Committee to understand that, as a matter of opinion, you approve of the working of the Commission and the result at which they have arrived, after the expenditure that has been mentioned of between 500,000*l.* and 600,000*l.*?—The Committee I apprehend is aware of the very limited extent to which I have had an opportunity to form an opinion on the subject, and being aware of that circumstance, as far as my opinion is worth any thing, I have no hesitation in saying that it is highly favourable for the publications of the Record Commission, that they have been generally useful for the purposes of publication, and that they have tended very much to the improvement of our historical and topographical knowledge.

5757. But taking the state of things when the first Commission issued and the state of things now, and looking at what has been done and what has been left undone, and considering there has been that expenditure that has been referred to, would you generally say that it has been satisfactory?—I really require a great deal more of materials than I possess before I form an opinion; my opinion is, that a great deal has been done; whether more could have been done or ought to have been done I am not able to form an opinion.

5758. Mr. *Hawes.*] What was the date of the first Commission?—July 1800, as I am now informed.

5759. When did you last examine any one of the Record Offices?—In using the

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the word, examine, I must refer to the mode of examination; I have already explained my inspection cannot be called an examination.

5760. When did you last visit any of the offices in question?—I do not think I have been within any one of the public offices since the year 1824, except that I have been since occasionally in the Chancery Offices, and I have been also in the State Paper Office, which I had not before adverted to, as not, I expected, being within the scope of the Commission before.

5761. Do you know whether since that date any improvement or alteration has taken place?—I cannot answer that question, except upon further recollection as to the Chapter House, which I have visited since my friend Sir Francis Palgrave has been appointed to that office, when I had the curiosity to go over the building with him, and in the course of a very cursory survey I observed a considerable improvement had taken place in that department.

5762. Will you describe that improvement?—When I previously saw the state of the records at the Chapter House a very great portion were, to all appearance, lying promiscuously huddled together on the floor, and those that appeared to be arranged or deposited at all seemed to have no indexes, none at least that I could learn to be of a satisfactory kind. Since the appointment of Sir Francis Palgrave, within the last two or three years, I was certainly struck with the appearance of the floors which had been pretty well swept of their incumbrances, and all these had been sorted and arranged, and a considerable progress made in the indexing, and I have no doubt that they were rendered far more accessible than before for all valuable purposes.

5763. That improvement has taken place in the last two or three years?—I apprehend so.

5764. Do you approve of the publication of records before the whole mass of records have been sorted and examined?—I see no objection to both operations going on simultaneously, because a very large portion of them have been already well arranged and methodized, and indexes made, and because I think the interests of literature would be much injured by even a temporary suspension of the publications.

5765. In what office are they so arranged and indexed?—I think a large proportion of those in the Chapter House were arranged, although originally they were in the state of confusion I have mentioned.

5766. Do you mean to say that at the present moment a large proportion of the documents at the Rolls Chapel are methodized and arranged, so that they are convenient of access, generally speaking?—My impression is that they are so, and I recollect to have heard, though I never saw it, of a very valuable index, compiled I believe by Mr. Kipling, the late keeper of the records at the Rolls Office, and which was his own private property, whether since made public I know not. I am aware also, that a considerable portion of the records had been already indexed, previously to the introduction of any Commission, and, although not printed, they were capable of being resorted to in their manuscript state for purposes of reference.

5767. When you speak of indexes, were those indexes prepared by public officers for public purposes?—I cannot say.

5768. Are you not aware that some of those indexes have been claimed as private property and sold as such?—I have heard it, and I have no doubt of the fact that many such were so made and claimed.

5769. Will you state any one index which is accurate and comprehensive and the public property now at this moment existing?—I cannot refer to any with certainty.

5770. Have not some important records been published whilst more accurate copies have been found in store subsequently in the condition you have alluded to?—I am not aware of it.

5771. Was not that the case with regard to the "Inquisitiones Post Mortem"?—I do not know; but with regard to the "Inquisitiones Post Mortem" there is this material circumstance of omission in the calendar printed by the Record Commission: it has been lately brought to my recollection with respect to this calendar, that although very minute and particular as to the description of lands and tenements, even in the most insignificant parcels, the most material part of the Inquisition, viz. the "Cujus est Hæres," is left with a mere &c., and the index in question thereby rendered comparatively useless.

5772. Take the case of the "Testa de Neville," which has often been mentioned

tioned in this Committee; was not that printed from transcripts when the originals were subsequently found?—I am not, at the present moment, aware of that fact, but if it be so it must have escaped my memory. *J.H.Merivale*, Esq. F. S. A. 20 June 1836.

5773. Taking all those questions together, do you not consider it desirable that the arrangement of sorting should take place before publication?—As a general rule it might be desirable, but I conceive that the public would be losers if it were invariably adopted. The mere expense of printing from an imperfect copy, when a better one is subsequently discovered, is not, I think, to be set against the disadvantage which would result from so long a delay as the question supposes.

5774. Do you or not think that accurate calendars and indexes of the contents of the Record Offices are more important, and should precede the publications of the records themselves?—Yes, certainly as a general rule, though there may be cases of exception; but I apprehend that in point of fact there are very few instances (the "Parliamentary Writs" is an exception) of the entire records being published by the Commission; there are some which would be infinitely too voluminous.

5775. By the answers you have given do you not think it of the utmost importance that those catalogues and indexes should be undertaken by the Commission?—I think so, certainly.

5776. The Commission having existed 30 years without having published a single catalogue or index in a cheap form and accessible to the public, what is your opinion of the value of the labours of the Commission?—I am afraid I have been answering under a false impression the questions put to me; I conceive that with very few exceptions, all the publications of the several Commissions have been in the nature of catalogues and indexes, but I have certainly regretted that a more compendious form of publication was not in the first instance adopted.

5777. Have you examined them to form an opinion of their accuracy?—Not so as to form any certain judgment. I found it impossible to follow out the labours I was once engaged in, and, generally speaking, have only looked into the calendars, though I have occasionally compared them with the original records.

5778. Take the "Calendar of the Patent Rolls," what is your opinion of that?—I am not aware of any point in which that is defective.

5779. Do you speak from having used it and being personally acquainted with it or not?—I have already stated the mode in which I used both that and all the other calendars I have referred to, that is, by extracting from them the parts that related to the branch of history that I was inquiring into.

5780. Can you state whether the present Commission has published any calendars or indexes?—I cannot speak positively as to the number, but know that there have been some volumes added to the former calendars by the present Commission. But the printed catalogue will answer the question.

5781. Take the "Calendar of the Charter Rolls," what is your opinion of that?—I can only answer that in the same general manner that I have done already as to the other calendars.

5782. Sir *Robert H. Inglis.*] Your attention was called in a late question to an hiatus or deficiency in one of the publications; are you or are you not aware whether there be on the part of the present Commission any intention to supply such hiatus?—I am not aware of the fact, but should be very glad to hear that it was so.

George Spence, Esq., called in; and Examined.

5783. Sir *Robert H. Inglis.*] YOU are a barrister practising in the High Court of Chancery, King's Counsel, and also the author of a work upon the "Judicial Institutions of Europe"?—Yes, I am. *George Spence*, Esq.

5784. And it is understood that both at the bar and when you sat in Parliament you gave a considerable portion of your attention to subjects of historical and antiquarian research?—Yes, I did.

5785. With such an interest in the subject, and with your opportunities of prosecuting it, had you recourse to the volumes published under the authority of the successive Record Commissions?—Yes, I had to some of them. In my inquiries as an historian and antiquarian, I had access to those publications of the Record Commission which were issued prior to 1826, in which year I published the book you have referred to, upon "The origin of the Laws and Institutions of modern Europe." I was not aware I should be examined till Saturday evening, and there-

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fore I may not be able to answer so satisfactorily as I should have been if I had been previously apprised that I should be examined. Upon turning over the pages, and thus refreshing my memory, I believe the principal books of the Record Commission I then consulted were, "Domesday Book," Rymer's "Fœdera," "The Calendars of the Patent Rolls," "The Statutes of the Realm," "The Inquisitiones Post Mortem," and "Proceedings in Chancery, down to the Reign of Elizabeth."

5786. The "Close Rolls"?—No; I have only lately seen them. I do not think they were published in 1825, according to my recollection. I principally resorted to the "Peerage Report of the Lords' Committee" for the "Close Rolls."

5787. Do you think the printing the early "Chancery Petitions and Bills" prefixed to the "Chancery Rolls" has tended to throw light upon the jurisdiction of the Court of Chancery?—Yes, I found that it threw considerable light upon the inquiries I was prosecuting.

5788. You had an opportunity of comparing in your own private study, or, what was equivalent for the present purpose, you had those materials of information which you could not have collected otherwise than by visits to the different depositaries?—Before I had access to these publications, I had collected a great portion of the information I made use of, but it had been with infinite labour; it had taken me a very great length of time, and certainly had put me to very serious inconvenience. When I found these several publications collected in the library of the Athenæum at Liverpool, I ascertained that I might have acquired the same knowledge I had laboriously picked up where I might happen to be able to find it, with much greater facility, in much less time and with greater accuracy.

5789. Do you think that a treatise on the origin of any of the Judicial Institutions of the country could be conducted in a satisfactory manner by any person who had not access to the publications which you have specified, and other similar publications issuing under the same authority of the Record Commission?—I will no say that in the works of Prynne, Selden, Spelman, Brady, Tyrrell and the numerous other antiquarians who have directed their inquiries to the subject, there may not be scattered information and documents sufficient to enable a person to compose such a history, but I have doubt that it could now, with the assistance of the documents, be published by the Record Commissioners, be composed with greater accuracy and with greater facility; besides now, a person who has other occupations, may, by finding the original writs and records all brought together, in the publications of the Record Commissions, accomplish that which before he could not have been able to have accomplished; it required too much time to investigate these subjects, when you had to go to different libraries as I have been obliged to do; when you were at one place you found that there was a book somewhere else, to which you required immediate reference; this very frequently greatly impeded my inquiries. I believe I should have consumed one-fourth of the time, if I could have resorted to the publications of the Record Commissioners which are now in existence.

5790. It is scarcely necessary to follow the answer which you have now given by the question whether you consider the circulation and transmission of these publications to every library in the United Kingdom, to be a measure very important, not merely for the circulation of correct information, but in the use to be made of it by those who desire to write upon the legal and constitutional antiquities of the kingdom?—Most certainly; I consider the sending these publications to the different public libraries eminently beneficial for all persons engaged in such pursuits.

5791. And for the purposes also of those, who, without desiring to write upon the subject, may desire to obtain correct information upon the subjects involved in those works?—That follows as a necessary consequence.

5792. Do you conceive, from your knowledge of the literature of the day, that whatever is the intrinsic value of these materials, they are of a nature to repay the expenditure of any individual bookseller or association of booksellers in their publications?—Unquestionably not, I should say it would be next to impossible to get any bookseller to undertake any thing of the kind.

5793. If it be assumed that the works in question are intrinsically valuable, you think it desirable that the Government should have undertaken the publication, and should undertake the publication of analogous works?—Certainly, when I first met with the "French Historians," which was in 1811, when I saw this splendid collection of the "French Historians" I confess I felt great shame that this country could not produce any thing of the kind.

5794. Dr. *Bowring*.]

5794. Dr. *Bowring.*] Can you state the cost to the French government of that collection?—I have not the least idea; I possibly made inquiries at the time I met with them, but it is a long time since; I could not help, with shame and disappointment, comparing what were considered the best editions of "Matthew Paris," and other old chroniclers and historians, and the ancient laws published without sanction or authority, with that splendid collection of the French government, and I was rejoiced when in Liverpool, on the occasion I have before referred to, to see what I thought the commencement of a similar publication in this country.

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5795. Sir *Robert H. Inglis.*] You are aware that the associated booksellers have published the "Old Chronicles?"—Yes.

5796. Are you aware whether such publications have been or not commercially profitable?—I have no idea.

5797. Mr. *Hawes.*] You spoke of having seen frequently such a work as that of "Matthew Paris," not having the value of official sanction and authority; what do you think to be the object of giving works of this kind official sanction and authority?—As a great national work?

5798. Something beyond that, is it not?—I conclude that if "Matthew Paris" was published under the authority of the Government, it would have scarcely more authority than it has now; but what I wished to see, was the whole published together, with the ancient codes and records as they are in the collection of French Historians, with such references as would assist the inquirer, without his being obliged to make all those references himself.

5799. That is to say, that the official sanction and authority you spoke of should indicate the correctness of the publication?—Yes, partly, but it was not so much in that respect, as to see an authentic general collection of the ancient historians, records and codes.

5800. Still the great object of the official sanction is to ensure the accuracy of the work, and in giving authenticity to the publication, to put the person who possesses it in the place of those who possess the original document?—Yes, one great object certainly.

5801. Do you think that the works of the Record Commission bear that character?—I have always taken for granted that their publications were perfectly accurate. I never examined into the accuracy of them. When I saw the authority under which they were published I took it for granted they were accurate.

5802. Dr. *Bowring.*] If any material inaccuracies were pointed out to you, you would think that the functions of the Commissioners had not been exercised as they ought to be?—I should say that their functions had not been duly exercised, but in such an extended subject errors, of course, may creep in without culpable negligence.

5803. Sir *Robert H. Inglis.*] Are you aware that in consequence of the address of the House of Commons to the King, the task of publishing an uniform series of the old chronicles and historians of the country had been undertaken and referred for supervision to the Record Commission?—I have understood such to be the case; I would take the liberty to suggest that the ancient codes of laws should be included.

5804. Are you acquainted with the Six Clerks' Office in Chancery, and the arrangement of the bills and answers therein?—I am.

5805. Have the goodness to state to the Committee whether such records are in a good state, and whether they are easy of access?—When I was in the House of Commons I paid a great deal of attention to this subject; I was not at all satisfied with the mode in which the records of the Court of Chancery were kept. As a Member of the House of Commons, and having the sanction of Lord Brougham, I looked into the state of the records of the Court of Chancery. The records of the Court were not then, nor are they at this moment, kept in the way I should wish to see them kept, arising from this: There are several distinct offices in which what may be called the records of the proceedings in each suit are kept. The Six Clerks' Office, where the bills and answers and some other proceedings are filed; the Examiner's Office where evidence is taken, and the Registrar's Office and Report Office, where the decrees of the court are recorded or entered in books, and the reports of the Masters are filed, decrees and proceedings are inrolled of record in a distinct office called the Inrolment Office and affidavits are filed in a distinct office. It appeared to me that it would be infinitely better that all the records should be found in one office. I therefore suggested in the House of

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Commons and also to Lord Brougham that some arrangement of that sort should be made, and with that view I examined the different offices beginning with the Six Clerks' Office. My first impression was, that the records in that office were not kept in a satisfactory manner, and under this impression I tried the officers who keep them, Mr. Drew and Mr. Roberts, but principally Mr. Drew, in every way possible, in order to ascertain whether they could at the moment refer me to any of the records I wished to examine into: for instance I asked Mr. Drew for the proceedings in a particular cause filed several years ago, and I was surprised to find with what facility he referred me amongst the numerous rolls to every document I inquired after. I do not yet think that the system is the best that could be adopted, nor do I think that any person other than Mr. Drew, who, I believe, has arranged them, will be able to refer to the records with that perfect facility that he is the master of; yet, at present, most unquestionably the records in the Six Clerks' Office may be referred to by any person who desires it to any extent with the utmost facility.

5806. You commenced the searches of which this was the result, with the impression that such result would not be the case?—I certainly did; however my great objection that the records are not collected in one office under one head yet remains,—that part of the bill which I prepared, which had for its object to establish a Record Office, having been struck out.

5807. With reference to the fees for searches and copies of bills and answers and other documents, can you state to the Committee whether, in your judgment, such fees in the office in question are moderate?—Of course I paid nothing; I really do not recollect; perhaps I never heard what the fees were for a search; there are rules and regulations as to searches I am not conversant with. I presume the question does not relate to the fees for office copies; these are reguluted by the judges of the Court of Chancery.

5808. Dr. *Bowring*.] Is not the quantity of the Chancery records in the Six Clerks' Office small?—No.

5809. But as compared with the Chancery records in the Tower and Rolls Chapel?—They are removed periodically, and when I went through the Six Clerks' Office there had been one of these periodical removals to the Tower.

5810. Therefore the whole of the arrangements extend over a very short period?—I should think 20 years.

5811. If the collection is only of about 20 years it is a very small collection?—Up stairs there are those in immediate use, the remainders are in catacombs below; on recollection the whole collection must, I think, extend over 40 years, or thereabouts.

5812. Is not the quantity of records in the Six Clerks' Office very small compared to the number in the Tower?—It must be.

5813. Can you give any information as to the facilities of access to the Chancery records that exist in the Tower or other offices?—No, the main object of my inquiry was to ascertain how the records could be kept in a manner that was of the greatest practical utility, and in the Six Clerks' Office did not extend beyond existing causes; my enquiries were directed to this object, whether the records were in such a state that for all practical purposes they were easy of access.

5814. The opinion you give refers to their use for legal and not historical purposes?—Certainly, as far as the Six Clerks' Office goes; my inquiry was directed solely to the question whether the records were kept in the best way possible, having reference to the interests of the suitors of the court.

5815. Sir *R. H. Inglis*.] If the fees in the Six Clerks' Office were high, which your answer does not assume that they were, by whom and under what authority are they fixed, whether by the judges of the Court of Chancery, or any other authority?—By the judges of the court the fees are all fixed and settled.

5816. Are you acquainted with the Register Office in Chancery?—Yes.

5817. And the state of the decrees and orders there?—Yes, both as a practising barrister and in reference to my inquiries when a Member of Parliament; I have often, for purposes of business, searched for decrees, and found them with the greatest ease; at first I used to require one of the officers to assist me, but latterly I used to go in and take down the index book and find the decree myself.

5818. Dr. *Bowring*.] With reference to the Six Clerks' Office, does the peculiar facility of finding the records arise out of the index, or the peculiar aptitude of Mr. Drew?—From the index; Mr. Drew showed me the index; it was from the index he referred to the rolls where the documents were.

5819. Can

5819. Can you give an opinion whether the same system of indexing could be applied to other depositories?—I should think so; Mr. Drew appeared to me to be master of the plan of indexing, from the practical use he made of it.

5820. Are you aware whether the indexes of the Six Clerks' Office are transferred with the records when they go to the general repository?—I do not know.

5821. Sir *Robert H. Inglis.*] Do you recollect whether such index is the personal property of Mr. Drew, or transferable with the records on any vacancy?—I do not know. I believe Mr. Drew is not a recognized officer of the court; I believe he is only an agent to the Six Clerks. One object of the bill which I drew for Lord Brougham was to put that, amongst other things, upon a proper foundation; but this perhaps is a matter beside the present inquiry.

5822. Dr. *Bowring.*] All the evidence you have been giving is with reference to the modern records?—Yes; I am now merely giving evidence as a lawyer, and not as an antiquarian; I never went into the Six Clerks' Office as an antiquarian.

5823. Sir *Robert H. Inglis.*] But the Six Clerks' Office and the Registrar's Office are the two principal offices?—Yes; the books in which the decrees are entered are all kept in rooms adjoining the Register Office.

5824. Are these the offices to which the suitors in the Court of Chancery have the greatest recourse?—Yes.

5825. In the course of your practice as a barrister, did you ever hear any complaint made of the difficulty of access to those records in the course of a suit?—No; there are rules in the Six Clerks' Office as to searches, and strangers I believe are not permitted to examine any bill or any answer they choose; but that is merely an arrangement for the benefit of the suitors.

5826. If there were any grounds of complaint on the part of any persons entitled to take an interest in the course of a particular suit, do you think that notice would be taken in the course of a judicial inquiry of that ground of complaint?—Yes; I feel confident that if any person has a right to examine any record in any office, that that person may obtain access to it immediately, notwithstanding any rule in the Six Clerks' Office; if it was proper that the person so applying should have access, I am quite sure that on addressing himself to the court he would obtain access immediately, unless there was a good reason to the contrary.

5827. Do you know any thing of the constitution of any other Office of Records; and if so, will you be pleased to state your opinion of the same?—I also examined the report department of the Report Office; the reports appeared to be carried in there in an inconvenient form, written on paper and put in bundles; there must, I think, be great difficulty in arranging them, but still I have never heard that there was any difficulty in finding a report which any person might desire to inspect.

5828. Are you aware of the constitution of the Commission which forms the subject of the present inquiry?—I believe I am.

5829. Are you aware that it consists of some persons who are Honorary Commissioners, and who direct the labours of the gentlemen employed as Sub-Commissioners?—Yes, I am.

5830. Do you think this a suitable constitution for such a Commission?—It is difficult to give a very decided opinion upon the subject. I never considered it prior to Saturday evening, when I was informed I should be examined, and therefore my opinion can be of little weight; still, as far as I can judge, it is the best constitution for such a Commission that could be put into practical operation. There are inconveniences that must occur to every one's mind as to the constitution of these Commissions, however appointed; there is hardly one that has ever been appointed to which serious objections have not been raised, whether the Commissioners were paid, or whether they were merely Honorary Commissioners. But, considering the nature and the objects of this Commission, I confess that it appears to me that its present constitution is a good one; at the same time I think that this Commission, as every other, requires something more of supervision, something more of responsible supervision, than appears to be provided in the present Commission. Unless I am travelling out of my way, I should wish to state that when I was a member of the House of Commons I was very anxious that, instead of the grand committees which are appointed at the commencement of each session, which is mere form, standing committees for legislation for public records and other subjects of national importance should be appointed. I frequently spoke to the late Speaker upon the subject; and at the commencement of every session I endeavoured to procure the

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adoption of some plan for this purpose; but I was never able to succeed. I always appeared to me that standing committees to supervise the labours of the different Commissions would be most beneficial, not only to secure the due performance of the duties assigned to the Commissioners, but also to insure for the public the full benefit of the labours of the Commissioners. I cannot help saying in regard to all Commissions appointed for legal reforms, that, in my opinion, they have failed, to a great extent, in producing the benefit that would otherwise have resulted from them, from the want of some persons whose especial duty it was to see that their recommendations were properly and effectually carried into operation. No Government, if left to itself, will, I fear, ever attend to these details.

5831. Dr. *Bowring.*] Is it practically possible for high functionaries to give sufficient of their time to superintend the works undertaken by the Record Commission?—I have heard that question proposed to one of the witnesses as regards the Master of the Rolls, and I confess I think both the Master of the Rolls and the Vice-Chancellor might do all that would be required of them as Commissioners under this Commission. Each of them must be well acquainted with the general nature of the business to be done; they would, I think, be able immediately to determine whether a document which was proposed to be printed was proper for publication, on inspecting it, and being informed of its nature by the persons who had examined it. The present Master of the Rolls would, I am confident, in five minutes be able to say whether such a document ought to be printed or not.

5832. Suppose the fact were shown to you that certain high functionaries, without mentioning names, have not attended, or very seldom indeed, what would you say then?—I should say that the same evil which is, as I believe, in constant operation as regards almost all commissions was operating as regards this; that there was a want of proper supervision.

5833. Can you get over the fact of the non-responsibility of the Honorary Commissioners?—I do not think it is possible, unless you have some persons authorized to supervise them.

5834. Is not that an insuperable objection?—No, I consider not.

5835. Mr. *Hawes.*] You have already stated you think it practicable because you have stated a mode by which you think the objection might be removed?—Yes, I cannot but think there should be some supervision over these Commissioners; but of what particular description I am not, at the present moment, able positively to say, not having considered the subject in reference to this Commission; but I incline to think that the same supervision that I have above referred to, in regard to the commissions for legal reforms, namely, a standing committee of the Commons, or if the Lords and Commons, would insure the due execution of the duties of the Commissioners, honorary as well as paid.

5836. Sir *Charles Lemon.*] Do you mean an authority over the Commissioners, or an intermediate power between the Commissioners and the acting Commissioners?—A general authority to examine periodically what is done by and under the sanction of the Commissioners.

5837. Dr. *Bowring.*] You would submit the Honorary Commissioners to supervision?—Yes; I think that the Legislature ought to know from time to time, through the medium of some persons specially appointed for that purpose, what is really done under their several Commissions. If I were told that the Honorary Commissioners had not done what might be expected of them, I should say it was for want of supervision of this description, and not because they were unable to do what was required of them. I can well conceive that unless they know that their proceedings will be frequently inquired into, their duties may be neglected. Frequently one will suppose that part of the business will be done by another, which that other may suppose will be done by him. But if there were something of supervision, or something of periodical investigation, I do not think that this would happen.

5838. How could you enforce the attendance of the honorary members?—I should not expect to enforce the regular and constant attendance of the Honorary Commissioners any further than this, that I should expect that when an Honorary Commissioner was found to be unwilling or unable to attend, he would feel it his duty no longer to continue an Honorary Commissioner, or if not, that he would receive an intimation to give place to some person who was willing to perform the duties.

5839. Sir *Robert H. Inglis.*] Are you aware that for the first few years of the first Commission

Commission their works were distributed to each member of the two Houses, and that they made successive reports to the King, which reports were laid on the table of each House of Parliament?—Yes, I am quite aware of that. *George Spence*, Esq. 20 June 1836.

5840. Do you consider that the fact of such publications being distributed to the members of the two Houses, and the reports being laid by the order of the King upon the table of each House, would give to the Parliament, so long as the practice continued, a cognizance of what was doing and proposed to be done under the authority of the Commission?—Certainly it would. But in my opinion there ought to be some person or number of persons whose duty it should be to examine the reports when made. I am afraid that there are many reports upon the table of the House of Commons the contents of which are known to very few Members. It is not sufficient that reports are laid before the House.

John Bowyer Nichols, Esq., F.S.A., called in; and Examined.

5841. Sir *Robert H. Inglis.*] I BELIEVE I may say that you feel an hereditary interest in archaiological pursuits. You have continued those pursuits which your father prosecuted so long and so successfully?—I certainly feel a great interest in those archaiological pursuits, in which my father was generally considered to have distinguished himself. *J. B. Nichols*, Esq., F.S.A.

5842. In your own private profession have you had great experience in topographical and other antiquarian publications?—I have been engaged in printing such publications for the last 40 years; and from the presses of my father and myself have proceeded most of the county histories that have been published during that period.

5843. Are you acquainted with the volumes printed by the authority of the Commissioners of Public Records?—With most of them.

5844. What is your opinion of their usefulness in that department of literature with which you have had most experience?—I consider the use of them is indispensable to the topographer and antiquary who would publish any work with credit to himself.

5845. Mr. *Hawes.*] Will you state the particular volumes to which you refer?—The volumes of calendars and indexes which open the records to the knowledge of the topographer; particularly the "Calendar of the Patent Rolls," the "Calendar of the Charter Rolls," the "Calendar to Inquisitiones Post Mortem," and the "Index to Domesday."

5846. Sir *Robert H. Inglis.*] Whatever be the value of those works, do you conceive that they are such as could remunerate an individual bookseller or any associated booksellers as a commercial speculation?—I think no bookseller would have been induced to publish them at his own charge, inasmuch as they would not have met with a sale corresponding to his expense.

5847. Do not historians labour under great difficulties in obtaining access to the sources of information on which their works must be founded?—I think that historians had formerly easy access to the Record Offices. The "History of Warwickshire," by Sir W. Dugdale, and the "History of Northamptonshire," by Thoroton, seem founded on the public records. Since their time there is, in my opinion, a manifest falling off in that respect in the county histories published in the last century. They do not appear to be formed on the same sure basis. I conceive this arose from the public offices being closed to the easy access of historians, and also from the expense of fees and office copies.

5848. Mr. *Hawes.*] You do not know at what time the exclusion occurred?—The exclusion continued up to the time of the publication of these calendars for in the last 20 years considerable improvements have taken place in county histories, which I can only attribute to the publications of the Record Committees.

5849. Sir *Robert H. Inglis.*] In your former answer with respect to the facilities enjoyed by Dugdale and Thoroton, and the diminished facilities possessed by subsequent authors, do you speak from any authority, or from your own opinion?—Only from my own opinion, on consulting the works of those authors.

5850. Mr. *Hawes.*] In any degree do you speak personally, from having consulted the records?—Yes; I have myself been employed, conjointly with Mr. Gough, in editing the second edition of Hutchins' "History of Dorsetshire," which made those researches necessary.

5851. Did you find any impediment arise from the exclusion and fees you have

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referred to?—Not personally; but I think topographers have made less use of those records from the close and impervious state of the public offices, and the expense of fees and office copies.

5852. Sir *Robert H. Inglis.*] Can you give the Committee any instance of the great expense incurred in obtaining that information. I am speaking in regard to that expense commercially?—It is well-known those fees did exist, and that it was the interest of those who had the custody of the records to receive those fees.

5853. In point of fact, as a literary man, you found the system adopted, and the fees charged, at the Record Offices a great impediment and annoyance?—Yes; but I wish to add, that since the institution of this Commission, the knowledge of the valuable materials to be obtained in those offices has been thrown open to writers of county histories, and thus facilities have been given to their labours.

5854. So far as the publications of the records has gone?—Yes.

5855. But in reference to the system adopted at the offices of making searches, —has that system been changed beneficially?—Not to my knowledge.

5856. Since the original Commission, public access to those offices has not been to the same extent which, you conjecture, existed in the time of Dugdale and Thoroton?—I think not, judging from their works.

5857. Have you any historical knowledge of the fact?—Nothing but from looking at their volumes.

5858. Could the references made by Dugdale, although references involving increased labour, have been still equally within his power?—I cannot say, but Dugdale must have been evidently very much engaged himself in searches at the Record Offices. He was a giant in his way.

5859. Can you state to the Committee any instance of great expense incurred in the prosecution of topographical inquiry by the searches in the Record Offices?—I can; the Rev. Mr. Owen Manning, the author of the "History of Surrey," a very learned antiquary and Saxon scholar, but a gentleman by no means in affluent circumstances, was at great expense in engraving the whole of "Domesday" for his "History of Surrey." Another instance was that of Dr. Nash, who did the same for his "History of Worcestershire." Mr. Hutchins had the whole of "Domesday" copied at a great expense for his "History of Dorsetshire." When my father's "History of Leicestershire" began, he was fortunately saved the expense I have mentioned to have been incurred by Messrs. Manning, Nash and Hutchins.

5860. Mr. *Hawes.*] How did your father save that expense?—My father was able to copy "Domesday-book" relating to Leicestershire from the work printed by him for Government. It was first intended to publish the work by fac-simile engraved plates, but my father suggested moveable types. The work was ten years in the press. A. Farley, Esq. transcribed every line of it for the press, and with my father's assistance superintended the correction of the proof sheets. Two volumes were delivered to members of the Houses of Lords and Commons in 1783, though the work complete was not published till 1816, when the preface was written by Sir Henry Ellis.

The returns of charitable donations made to Parliament in 1788, not having been printed for many years after they were presented to the House of Commons, my father was, in 1791, at the expense of 64*l.* for office copies of the "Charitable Donations," for the county of Leicester only, which were first printed in his history in 1795. Those "Charitable Returns" for the whole kingdom, were afterwards printed in 1816; and if they had been printed when first presented to Parliament, my father would have saved that expense. In a small degree the same remark applies to the "Testa de Neville;" that portion for Leicestershire was transcribed for my father, at his expense, and published in 1795, the whole not having been published by the Record Commission till 1807.

5861. Sir *Robert H. Inglis.*] Whatever the utility of those publications might be to individual authors on works of topography, do you conceive their great utility to the nation has been sufficient to justify the expense in which the nation has been involved?—Certainly.

5862. Mr. *Hawes.*] Do you know the expense the nation has incurred in respect to these publications?—Since I have been in this room I have heard 500,000*l.* But I would add, the volumes published by the Record Commission

are

are storehouses of facts, with which no historical or legal antiquary, no genealogist, no topographer, ought to be otherwise than most intimately acquainted.

5863. Dr. *Bowring.*] The "Rolls of the Hundreds" for instance, do you think they were justified in expending 9,500*l.* upon them?—I did not know what the cost of the work was. I cannot presume to judge whether it is deserving of that expenditure, though I conceive the "Hundred Rolls" contain much curious and important information.

5864. The nine volumes of the "Statutes," according to the Parliamentary return, cost 60,000*l.*; do you think they were of that value as a literary treasure?—It seems a very large sum to bestow upon any work coming down only to the beginning of the last century; they may be of use to antiquaries if not to lawyers; I believe that the work has on the whole been considered a satisfactory publication.

5865. The three volumes of Rymer's "Fœdera" cost more than 30,000*l.*?—Rymer's "Fœdera" is a work upon which there are a variety of opinions; some persons think no new edition should have been published, being satisfied with the Dutch edition, which, I believe, is the most useful of the old editions. A supplement and continuation to Rymer would have been more desirable.

5866. Your opinion, as a literary man and as an antiquary, is of great value; do you think that the expenditure of 30,000*l.* a reasonable sum for the production of those three volumes?—It seems a very large sum.

5867. Sir *Robert H. Inglis.*] Do you know whether the amount stated to you as the cost of that work may have contained or not the charge for the collection of the materials for the completion of the work?—I never heard the sum before; I presume it embraces every expense, editors and every thing.

5868. The question last put to you referred not to whether the sum embraced every expense incurred in the volumes actually printed, but whether it embraced some portion of the sum required for the completion of the whole work?—Very probably, but I do not know any thing about it.

5869. You are printer to the Society of Antiquaries as well as to this House?—I am.

5870. Independently of your professional employments in this House and by the Society of Antiquaries, you are also a general printer?—I am.

5871. Have you any objection to state to this Committee your opinion concerning the accuracy and typographical execution of the works published under the authority of the Commission, and especially those executed under the authority of the present Board?—I think they are highly creditable to the parties employed upon them; no works have been published with more clearness of arrangement and more neatness of execution.

5872. In the answer now given do you limit such answer to the works published under the authority of the present Board, or do you extend it to the works published at any period of the Commission?—I think the works are more neatly printed under the present Board and more compressed in form.

5873. Do you consider it is an advantage to have printed the later works in a compressed form, the octavo?—The works are cheaper if printed in octavo; the type is smaller, and more matter is contained in the sheets, by which expense is saved. The smaller form is more convenient to consult, and more easily placed upon the shelves of a library. In the folio volumes, printed by the former Commissions, much space was lost, particularly in the indexes, which are printed generally in two columns, when there would have been room in the page for three columns and frequently for four.

5874. Do you consider it desirable for the promotion of historical literature in England, and inquiries into the laws and constitution of the country, that the series of works commenced should be continued, and that analogous publications should issue from the press under the same authority?—I should conceive a portion of the public money could not be more judiciously employed than on the subjects generally of the Record Commission; besides printing the principal calendars and indexes, and the most important original records, I include the arranging the whole of the records, and making manuscript indexes and calendars to those not printed. I should also think, in some cases, the money would be well employed in making a transcript of valuable volumes to be deposited in the British Museum, to guard against accidents by fire or destruction by damp. I should think that an object well worthy the attention of the Commission.

5875. Mr. *Hawes.*] To which would you give priority of publication, good catalogues

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logues and indexes, or the records selected by the Board?—I should decidedly say calendars and indexes first.

5876. Are you aware that the present Commission has published no calendar?—I believe they have not.

5877. Sir *Robert H. Inglis.*] You do not speak from personal knowledge of all the works which have come forth under the authority of the Commission?—I have inspected every one except those of the last year. I would take the liberty to suggest that if it were possible to increase the facility of authors and others who consult the records on public grounds only, and not with a view to private advantage, by abolishing the charges for fees of copying, a great benefit would be obtained. The circulation of the publications of the Record Commission to the provincial public libraries, and the lowering the prices of the books to the public, by the present Commission, have both been of the greatest use. In my estimation it would be a great national loss if the objects of the Commission should be wholly swept away and abandoned.

John Bruce, Esq., F.S.A., called in; and Examined.

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5878. Sir *Robert H. Inglis.*] YOUR attention has been directed to historical inquiries?—It has.

5879. Have you, in the course of those inquiries, become acquainted with the publications of the Record Commission?—I have.

5880. Have you given particular attention to any, and which of them?—Those which are most useful to the general historical inquirer are those to which my attention has been most particularly directed.

5881. Does your acquaintance with the public records in general enable you to say whether the selections of records by the Commissioners have been judiciously made, and if so, will you specify, as in the last question you were directed to specify, those to which you have given particular attention?—The "Close Rolls," the "Patent Rolls," the Scotch Rolls," the "Pipe Roll" of the 31st of Henry I., the "Council Books," with others which do not occur to me at the present moment; all those I have named I have found highly useful.

5882. Would you prefer, supposing Government intended to give any portion of the national records to the public in the form of books, that they should have selected those actually printed, or that they should have preferred any others?—I think they have acted wisely in selecting those I have mentioned; but I am unable to form a judgment upon the comparative advantage of publishing those and others which are not before me.

5883. Upon the whole, you are satisfied with the works which have actually appeared?—Yes, with those works I have named.

5884. Do you think that the publication of those works has been an assistance to historical inquirers in the course of their researches?—I do.

5885. Will you take any reign as an instance in which you think the publications issued under the authority of the Record Commission have been of especial service?—The whole reign of King John has been very much illustrated by them. The presence of the historian of Scotland (Mr. Tytler) reminds me of a circumstance that has recently occurred, and which exhibits the use of the record publications. There has been a dispute respecting the death of Richard II., which I believe is very well known; Mr. Tytler has written upon that dispute, Mr. Amyot has also written upon it, and antiquarians have been divided respecting it, with Sir Walter Scott on the one hand, and Sir James Mackintosh on the other. There existed a pretender in Scotland after the death of Richard II., and the question is, who that pretender was. A gentleman residing in Edinburgh, having recently had his attention directed to some entries in the "Calendar of the Patent Rolls," published under the authority of the Record Commission, has been enabled by that means to obtain some information, which he thinks sufficient to set the question entirely at rest.

5886. Are the events in the reign of King John now placed, in your judgment, on a sounder basis of evidence than they were previously?—Unquestionably.

5887. Are they more accurately determined, in your judgment?—We have now a standard for historical truth, as far as the reign of King John goes, in the "Close" and "Patent Rolls."

5888. Was the information respecting that reign, for instance, previously accessible, so that it could be conveniently and easily used by the historical inquirer?—Do you mean the records themselves?

5889. Yes,

5889. Yes, the records themselves?—I do not think they were; but I have no knowledge of the record offices; I am only acquainted with the published records. *John Bruce*, Esq. F.S.A.

5890. Published records there were not?—Portions were published, scattered through very many and very expensive volumes. 20 June 1836.

5891. The greater part of those who desired to consult that portion of English history, must have been content to do so without the means of testing the accuracy of the previous publications, which the means existing enable every man now to possess?—Yes, those works I have specified have that effect.

5892. Without undervaluing the information derived from chronicles, do you conceive that the information derived from the documents of the class to which I have called your attention is more or less valuable and authentic than that contained in the chronicles?—More valuable and more authentic.

5893. Can you state any other points of history which have been illustrated by the publications of the Commission; any particular point in the general history of the country?—The whole history of the barons' wars in King John, and the disputes between that king and the Pope, both most important series of events in the history of England, have been greatly illustrated by the publications of the Commission.

5894. Is it your opinion generally, that those publications which have now been carried on for a period of 30 years, taking in all the publications and the works of the Commission, are, or are not of essential importance to the historical student?—I think they are of essential importance to the historical student.

5895. Have you perceived any improvement in the publications of the Commission within any period; and if so, state the period from which such improvement has in your judgment commenced?—I consider the proceedings under the Commission at present existing to be a great improvement upon the proceedings under the preceding Commissions.

5896. To what do you attribute such improvement?—I am really wholly ignorant of the management of the Commissions; I can speak only of effects.

5897. Are the publications at present executed upon the whole in what appears to you to be a satisfactory manner?—Yes, I think they are.

5898. Mr. *Hawes*.] What do you mean by a satisfactory manner?—As compared with the publications under the preceding Commissions, they seem to be published with more care and economy, and they are placed before the public in a better form, and altogether in a more satisfactory manner.

5899. Sir *Robert H. Inglis*.] The term "more satisfactory manner" applies to a mere abstract superiority over the previous works; will you have the kindness to state whether in the typography, and looking at the mechanical part of the work, and also as regards the editors, and the form of the works themselves, you consider the works have been executed in a satisfactory manner?—Yes; I think they have been.

5900. Dr. *Bowring*.] You are acquainted with the "Scotch Rolls"?—I have frequently had occasion to refer to that printed work.

5901. That cost 8,000 *l*., should you think that 8,000 *l*. judiciously employed, as a literary man, in the preparation of such a work?—I cannot form an estimate of the proper sum to be paid for such works; I think they ought to be published, but at the same time they ought to be published in an economical manner; if 8,000 *l*. is more than enough to have been paid for the publication of these two volumes, I of course do not defend it, but I have no knowledge whether it was more or less than enough. I cannot tell what was done for that sum.

5903. Do you think it was a contribution to literature worth 8,000 *l*.?—I have not said that.

5904. Sir *Robert H. Inglis*.] Do you consider that the preparation of works upon records taking it in its largest sense, is a preparation of a nature strictly literary, or is it of a nature professional and legal?—I should think that works upon records are of a very complex character, not strictly literary, and not professional strictly, but compounded of those two; and perhaps with some other character that does not strike me at present.

5905. In other words, that the pay derived for merely literary labour is not the test by which the publication of record works ought to be measured, so much so as the trouble, time and application of talents to professional pursuits; is that the view which you would take, and would desire the Committee to take, of works carried on by gentlemen, who devote their lives to pursuits connected with records?—I think that the study of records is a liberal pursuit, and one that can only be properly

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properly carried on by gentlemen of talent and education, and such men ought to be well paid.

5906. They are not paid by reputation, in the extended sense of the word, which may be thought to repay other literary men?—I do not think they are.

5907. Dr. *Bowring*.] That state of things does not peculiarly apply to this country?—I have no knowledge of the record learning of other countries.

5908. Sir *Robert H. Inglis*.] Do you think the "Pipe Rolls" a class of documents of which the early series ought to be printed?—I can speak of the one that has been printed as being extremely valuable. That roll had long been called a record of the 5th of King Stephen.

5909. Do you think that that publication was a proper measure?—I do.

5910. Was the point of its being the roll not of the reign of King Stephen established by some one connected with the Commission?—It was.

5911. Will you mention the name and the circumstances under which it was established?—It was established by Mr. Hunter. From the comparison of the internal evidence contained in the roll itself with the statements of other authorities, the point had been one that had been a long while in dispute.

5912. Did you consider it of importance to have it established?—Yes, I did. Many antiquaries had been of very different opinions upon the subject, and many facts of which we have no other knowledge than what we obtain from that roll had been attributed to wrong dates, and many persons placed in the reign of King Stephen, in consequence of the mistake as to the date of the roll, who ought to have been placed in the reign of Henry I. Genealogists found themselves in consequence in a state of great confusion.

5913. Mr. *Hawes*.] With regard to the roll that was supposed to belong to the reign of King Stephen, had not many antiquaries previous to Mr. Hunter come to the same conclusion?—I am not aware of any published opinion to that effect.

5914. Do you know whether the celebrated Mr. Prynne had not discussed the point, and come to the same conclusion?—I am aware that Mr. Prynne had discussed the point, but had not come to the same conclusion; he had on a very fallacious ground assigned it to another year.

5915. Mr. Petrie, for instance?—I think I have heard that Mr. Petrie was of opinion it belonged to the reign of Henry I., but I am not aware that he has published any thing upon the subject. I do not think he has ever done so.

5916. Sir *Robert H. Inglis*.] Have you found valuable information in other prefaces to works published under the authority of the Commission?—I have.

5917. If so, will you favour the Committee with your opinion in detail?—I look upon Mr. Hardy's introduction to the "Close Rolls" and those to the "Council Books" as very valuable.

5918. What opinion have you formed of the edition of the "Statutes"?—I entertain a very high opinion of its importance.

5919. You consider it a national object to have a complete and authentic edition of the ancient legislative proceedings of the country?—Undoubtedly.

5920. Does any other edition of the "Statutes" contain, independently of the ordinary text, all the statutes which have been subsequently repealed?—I believe not.

5921. You consider it essential with a view to the legislative history of the country, that it should contain both the laws which exist at the day of publication, and those which have at any former period passed and been repealed?—Highly important, with a view to the general history of the country.

5922. Have you formed any opinion of the "Close Rolls," published under the authority of the Commission?—I entertain a very high opinion of their value.

5923. The "Patent Rolls"?—The same.

5924. The "Norman Rolls"?—I have not any acquaintance with them sufficient to enable me to speak of them.

5925. Can you favour the Committee with any opinion of the other publications of the Commission, the "Oblata" and "Fine Rolls"?—I am not sufficiently acquainted with them.

5926. Are you acquainted with the "Rotuli Curiæ Regis"?—I consider them highly valuable.

5927. The "Early Fines"?—I am not sufficiently acquainted with them.

5928. Do you think the publication of those records a matter of importance for the history of the early kings of England?—I do; they are the materials of history.

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5929. So far as you are acquainted with contemporary literature or analogous publications in this country, or any other, at any time, do you conceive that such publications as you have last alluded to could be undertaken as a matter of commercial speculation by any bookseller or association of booksellers?—I should think not.

5930. Do you know any instance in which the publication of documents separately from historical matter has actually been successful as a commercial speculation?—No, I do not. I never could persuade booksellers to undertake such works; I tried it some years ago with several booksellers without success.

5931. In your professional pursuits, as a solicitor, have you ever experienced any inconvenience from the want of more convenient access to the documents to obtain a knowledge of the evidence contained therein?—I have no knowledge upon that subject: my knowledge of records is confined to printed books, and those records which are accessible to the public at large.

5932. Do you know any thing of the "Docket Rolls," and "Judgment Books," in the Court of King's Bench?—I know them as they exist for the last 20 or 30 years.

5933. Are they in a satisfactory state?—I have always found them to be so.

Mercurii, 22° *die Junii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Dr. Bowring.
Mr. Jervis.	Sir Robert Inglis.
Mr. Pusey.	The Right Hon. C. W. Williams Wynn.
Mr. Hawes.	

MR. CHARLES BULLER, IN THE CHAIR.

The Right Hon. Sir *Alexander Johnston*, Bart. called in; and Examined.

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5934. Mr. *Pusey*.] YOU have been in a judicial office abroad?—I was Chief Justice and President of His Majesty's council for ten years in the island of Ceylon.

5935. Have you had any occasion, while holding that office abroad, to refer for information to the official records of Parliament, and the Government of England?—I had. In the year 1808, I conceived it to be absolutely necessary that all the natives of Ceylon, and all the natives of India, should be admitted to the rights and privileges of Englishmen; and under that impression I came to England in 1809, with the sanction of His Majesty's Government, in order to ascertain how such rights and privileges had been gradually imparted to the different natives of the different colonies under the British Government, and with that view obtained an order from the then Secretary of State for the Colonies, the late Lord Londonderry, to the late Mr. Chalmers, the Rev. Clerk of the Board of Trade, to allow me to search the records of the proceedings of the Privy Council from the earliest times, for all the documents that could throw any light on the subject. I found that few or none of the documents to which I wished to refer had been published, and consequently that I had great difficulty in getting at them; however, with the assistance of Mr. Chalmers, I did obtain most of them in manuscript, having had a considerable sum myself to pay for copying them, in consequence of their never having been printed.

5936. *Chairman*.] And in consequence of the fees you had to pay?—No, I paid no fees whatever; I had none to pay. The Secretary of State for the Colonies gave the order, and of course the search was an official matter.

5937. You do not mean to state from your own knowledge that when information is wanted by the Government or Crown for public purposes, that that information is given without fees being paid?—I do not know how that may be; but as I had an order of the Secretary of State to the clerk of the Board of Trade, he could not refuse to let me see the documents I wanted, they being connected with an official object.

5938. Dr. *Bowring*.] Those charges were for the purpose of copying?—Yes, they were the expenses incurred by the employment of the clerk; those documents to which I allude have since, in consequence of their value to the colonies, been

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published by Mr. Chalmers, in two volumes, and form at present the most useful work we have relative to the proceedings of the Privy Council.

5939. The clerk you employed was a clerk in the office?—No, a clerk hired by me; the official clerk in the office, who assisted me in the search, was Mr. Chalmers. I do not know precisely the name of the situation he held.

5940. Mr. *Jervis.*] He has since published them on his own account?—Yes; I give this instance to show my reason for that conclusion; it is most important to the public that documents of that sort should be published by Government, both for the advantage of the Government itself, and for that of the people of the country; for the advantage of the Government, in order that they may know the nature of the rights of the people, and that the people, in order that they may know the several documents upon which those rights are founded.

5941. *Chairman.*] Your evidence also shows that this valuable information has not been published by the Record Commission then in existence, but by a private individual?—I do not know whether they have since been published or not by the Record Commission.

5942. At that time, in 1809, the Record Commission having been in existence nine years, had not published those documents which have since been published by a private individual?—These documents were not published at that time; I could not get at them except in the manner in which I have explained.

5943 Do you know whether the Record Commission have since published those documents?—I believe not; I have come to the conclusion that all such documents as those alluded to ought to be published. I have stated the reasons why I consider it of importance to have them published, and why I consider the publication of public records in general to be of importance.

5944. Dr. *Bowring.*] Your evidence goes to the value of the deposit?—To the necessity of that deposit being made available to the public by publication.

5945. Mr. *Pusey.*] Did you return expressly from Ceylon in order to conduct this inquiry into the records of the Privy Council?—I came to England for the express purpose of laying my plan before His Majesty's Ministers, and ascertaining by the records relative to the colonies, how that plan might be carried into effect with the greatest ease, and with the greatest certainty of success.

5946. *Chairman.*] You drew this to the attention of His Majesty's Ministers?—I stated my plan to Lord Castlereagh, afterwards Lord Londonderry, who was then at the head of the colonial department.

5947. Can you recollect whether you made it known to the Lord Chancellor, the Secretary of State for the Home Department, the Master of the Rolls, or to any other of those of His Majesty's Ministers, who were members of the Record Commission?—I made it known officially to no man, excepting to the man at the head of the department, with whose officers I was in the habit of corresponding, having been in the habit of meeting with those gentlemen, I might have mentioned it to them in communication, but I do not recollect I did.

5948. I want to ask whether a judge in your situation at Ceylon, or in any of the other colonies, wishing to save the trouble and expense of coming home to obtain that information would be under that necessity at the present moment?—I cannot say whether he would or would not; I can only say he would not be under the necessity of coming home to refer to those documents which have since been published by Mr. Chalmers, whether he might wish further information I cannot say. My answer is that no man would be compelled to come from Ceylon to search among the Privy Council manuscripts for those manuscripts that have since been published.

5949. By Mr. Chalmers?—Yes.

5950. Has that work of Mr. Chalmers so completely supplied all this information that you think in another colony, because it is not fair to refer to the colony with respect to which you got the information which was afterwards supplied to the public, would a judge in another colony wishing to get that information be saved this trouble?—If a judge wishes to get at that information merely which I wished to get at at that time, and which, in consequence of its not having been published, I was then obliged to get copied in England, it being now published in a book, he can have no occasion to come to England for it.

5951. In what book?—Mr. Chalmers' book in two volumes.

5952. Dr. *Bowring.*] I understand that work to refer not to Ceylon only, but to other colonies?—Yes.

5953. Mr. *Pusey.*] Do you not consider it a complete collection that contains an

an answer to all the doubts and difficulties which a judge might be likely to meet with?—No, by no means.

5954. *Chairman.*] Then on those matters on which the book of Mr. Chalmers does not supply all the necessary information, would a judge with respect to another colony have to take the same trouble you have?—Yes if the documents he may want are not published, I presume he would; it is impossible for me to say what another judge would wish to have. If a record is not published, but remains in manuscript in the Privy Council, he must, of course, go to the Privy Council for it.

5955. Do you know whether this information not contained in Mr. Chalmers' book is published in any other book, so as to save a judge in the position we have assumed, the trouble to which you were put?—I should think not, unless any part of it is contained in the three volumes that have been since published of the proceedings of the Privy Council from the earliest period down to the reign of Henry 6, or in the Resumé published by Sir Francis Palgrave, called "An Essay upon the Jurisdiction of the Privy Council."

5956. Dr. *Bowring.*] In the judicatures with which you are acquainted are any publications of the record commissioners in the archives, and referred to as authority from time to time and found useful for colonial purposes?—At present those three volumes published in 1834, called "The proceedings of the King's Council" that came down to the time of Henry the 6th are in the library of the Privy Council, and are accessible whenever any member chooses to refer to them.

5957. Are they accessible to a judge in a distant colony?—Certainly, if the judge has a copy of them.

5958. Can you state of your own knowledge whether any of the judges in the colonies have them?—I was never in any other colony but Ceylon. I have been absent from that for many years, and therefore I cannot say whether the judge now has them there or not.

5959. Mr. *Pusey.*] You are, I believe, a member of the Privy Council?—Yes, I have been a member of the Privy Council ever since the judicial committee was established, and I am one of the two Indian judges who are generally summoned to attend all proceedings connected with appeals from any part of our East India possessions.

5960. Have you had occasion, both before and since you have been in that situation, to refer for a history of the Privy Council to ancient records?—Yes; having always been convinced myself that the administration of justice in British India never can be rendered completely efficient, prompt or impartial, without the establishment of an efficient court of appeal in this country, for the purpose of superintending the general administration of justice throughout British India; I have felt it to be my duty ever since I returned from Ceylon to England to endeavour to get a court of appeal of that description established in this country; with that view I have endeavoured to make myself master of the proceedings of the Privy Council from the very origin of its jurisdiction to the present period, in order that I might ascertain in what manner any portion of the appellate jurisdiction of the Privy Council could be so modified as to render it an efficient court of appeal from India, and to enable it to superintend the whole system for administering justice in that country; and for that purpose, having frequently referred to different records, I have been led to conclude that the publication of the history of the proceedings of the Privy Council ought to take place without delay, because it is of great importance to the colonies that all such information should be brought within their reach.

5961. Has the course of these legal inquiries led you to attend to the importance of the publication of the records of this and other countries?—Yes, the course of my legal inquiries certainly has; having originally been intended for the diplomatique, and afterwards for the law, I studied for three years under the late Professor Putter of Gottingen, and the late Professor Martin of the same university, the former the professor of Roman and German law, the latter the professor of the law of nations. I attended lectures upon the Roman law as it prevailed on the continent, under all its modifications, and the law of nations as it prevailed throughout Europe. I had constant opportunities of hearing the opinions of the two professors I have mentioned as to the advantage of the publication of our records when referring to the English Constitution, and to the different branches of English law. They always expressed their astonishment that such valuable records as England possessed were not published. When I came from Germany to England, I attended, as is usual in the course of legal studies, at a special pleader's office for

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two years, and being destined for a judicial situation in the colonies, I attended the proceedings of the common law courts, those of the criminal courts at the Old Bailey, and those in Doctors' Commons, those on the Privy Council, and those in the House of Lords. I was fully convinced by this course of study of the necessity of the publication of many of the public records, and that it would be a defect if it were not done.

5962. During those legal studies, have you had an opportunity of hearing the opinions of distinguished men in this country upon the necessity of publishing the records of Parliament?—Yes; my relative, the late Lord Frederick Campbell, was himself engaged at that time in preparing for publication a number of ancient documents relative to the history and the Parliaments of Scotland, and frequently expressed to me his surprise that documents relative to similar subjects on the English records had not been published in this country. Upon my telling him of the opinions of the public jurists of Germany upon this subject, he used to say, that he was endeavouring to get such documents as were valuable published in this country, and that he had become a member of the commission with that view

5963. Did you ever while you were in office in India yourself feel it your duty to advise the Government to publish any portion of the Ancient Records of that portion of the empire?—Yes, I did. The documents relative to the landed tenures in India consist of a great variety of ancient deeds and inscriptions, which give one a very clear insight into the nature of the right of freehold property that existed in that country so far back as 800 or 900 years ago; and with that right of freehold property into a great many other rights and privileges which the people possessed in former days, but which they have lost since in consequence of those deeds and inscriptions not having been made public. I took the liberty to suggest that every document of that sort, though it might cost a considerable sum, ought to be published, as a duty which Government is bound to perform to the public.

5964. And you still retain your opinion that there exists at this moment an urgent necessity for the publication of a large portion of our records?—I should say that at this moment the necessity is greater than ever, because it is impossible for any one to observe the great changes that are about to take place in this country without being convinced that the Government, for its own information and the people, for the security of the rights to which they are entitled, ought to have all the documents which relate to those rights and privileges published and made accessible to every individual in the country.

5965. *Chairman.*] May I ask you what you mean by "all those documents?"—I mean all those documents which relate to any material part of the British Constitution; to any material part of the administration of justice, and to any material right or privilege that has a long time been possessed by any portion of the people of this country; I limit what I said to such documents; what they are I do not know.

5966. You do not mean to say then that all records, without exception, ought to be printed; but that such of them as are most important ought, with a judicious discrimination, to be published?—Certainly.

5967. Do you not think that the great object, in a public point of view, and the first object with regard to those records, is, that the public should know what information is contained in them?—Certainly, there is no doubt about that; what I mean is, that there should be a perfect index to the records; that there should be also an analysis of their contents, so that every person who wishes to refer to them should be able to point out at once the document he wants to be published, and to give such reasons as may authorize those who are entrusted with the publication to publish it.

5968. Do you not think, for the benefit of inquirers into minute points which would not justify the publication of a long series of records for their illustration, but which may be interesting as questions of topographical and local interests, that with regard to all those questions, as well as individual rights, the evidence relating to which is scattered through the whole enormous mass of these records, that the great and primary object of the Board should be, giving such catalogues, calendars, indexes, and even analyses of the contents of those records, as would enable every man that wanted information upon those subjects to know at once whether the information existed in any class of those records, and in what records he ought to look for it?—There ought to be such an index as will enable any individual, with the least possible loss of time, and with the least possible expense, to refer to such portion

portion of the records as may contain the document that he may think of importance to his inquiries.

5969. You know what an enormous mass these records form?—I believe it to be very great from what I hear, but I do not know it of my own knowledge.

5970. Do you not think that the primary benefit which a commission like this or the Government could confer upon the country, with regard to this, would be, not the printing a few of them, but affording the public general information of the contents of the whole?—I think the commission ought to do both; it ought to have an index made; and it ought to go on printing such works as are generally known to be of public importance; for instance, Rymer's "Fœdera," which I have had occasion to refer to both in the old and new edition, a work published by Queen Anne at an enormous expense. I think the Committee ought not to wait till any person should ask them to publish such a work; it is avowedly so useful a work that they should direct it at once to be published. There are other ancient works upon English history which I found in the course of my studies abroad of great importance, for instance, the "Coutume de la Normandie," which contain some of the most valuable information relative to the laws of Edward the Confessor and the Saxon Kings, and in which one sees the first dawn of the rights and privileges belonging to the people of this country; also Glanville, which gives you a general history of the laws and constitution of Great Britain, at the time he wrote, under fourteen heads; I have no doubt of the importance of the publication of any old records connected with such works as these.

5971. You are aware that Glanville would in no degree enter into the province of the commission?—I understand so now; but I myself know nothing of the details of the proceedings of the commission.

5972. Have you ascertained whether the errors in the original edition of Rymer's "Fœdera" have been corrected in the subsequent edition?—Some of them have; I recollect that celebrated man, the late Dr. Adam Clarke, came to me and pointed out to me some of the errors he had corrected; the same errors, I told him, might, I thought, be much more easily corrected by a reference to the libraries of Gottingen and Leipsic.

5973. Do you not think that if such a work was republished, all the original errors ought to have been corrected?—Certainly, you ought to make it as perfect as you can; there are a great many documents that have been added to it which are exceedingly valuable.

5974. Mr. *Hawes.*] What materials do the libraries of Gottingen and Leipsic furnish for the correction of Rymer's "Fœdera"?—They contain many important public letters and public deeds to which the compiler of Rymer's "Fœdera" seem to have alluded in the first edition without having been able I understood, to inspect them; a great many of them were collected by a very celebrated German philosopher and historian, a contemporary of Sir Isaac Newton—Leibnitz.

5975, *Chairman.*] Admitting that it would be wise to publish certain records of of undisputed value and complete in themselves, taking the mass of records in general, would it not be the wisest plan, in order to supply the first want of the public, not merely to print a few scattered records, but to supply the public generally with such catalogues, and I will go further, such analyses of the contents of the records, which should tell all the curious in these matters, as well as those engaged in legal or historical pursuits, what information exists in the Record Offices, and where it is to be found?—I should do that, but I should go on with the other at the same time; I should do both; I do not know whether new editions of Bracton and Fleta have been published by the Committee.

5976. Dr. *Bowring*] You would think it more important to the historical or judicial student, that he should have a knowledge of all the existing records, than to possess any particular records?—Yes; I think he ought to be enabled to have a general view of the whole.

5977. Mr. *Hawes.*] Which do you consider of primary importance, the catalogues and indexes and analyses you have alluded to, or the printing selected records?—I think the Committee ought to do both; my idea is, that they might both be going on together; but if there is any very valuable record, a day ought not to be lost, because every day that is lost, you run the risk either of its being destroyed or of something happening to it, and therefore I should advise that those records of a like importance, of which there is no doubt should be published forthwith, and that an index to and an analysis of the contents of the rest should be made; no nation ought to grudge the expense of such a work.

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5978. Putting aside for the instant the perishing of the records, about which there connot be two opinions in regard to the printing, with respect to the other records which are in a fair condition, which do you think of the highest importance, the publishing selected records, or correct analyses and indexes of the contents of the Record Offices?—If you mean to do but one of the two things at at a time, that is to say, if you mean to put an end to the publication of those records of the value of which there is no doubt, and mean to publish one thing only, I should say certainly publish the index and analysis first; but I should also say, you are doing wrong in stopping the other publication.

5979. The Right Hon. *C. W. Williams Wynn.*] Do you apprehend that it is possible to state generally whether the publication of indexes or individual records be of the highest importance, without specifying to what description of records the calendar or index relates, and what the original record which is to be published may be?—If you mean to put an end to the publication of the one or of the other, either of the records or of the index and analysis, my answer is, publish the index and analysis, and postpone the publication of the records; but my opinion is that neither should be discontinued, but that both should go on at the same time.

5980. Mr. *Hawes.*] Assuming a commission to be appointed for methodizing and arranging the records of the kingdom, putting aside again those of a perishing description, which do you think the primary duty of that commission, the publishing accurate accounts of the contents of the records or selected records?—If you are to postpone for the publication of them for any time, I say let the one that is of the highest importance go on, and that is certainly the analysis and the index; of the relative value of the two there is no doubt; but it is quite contrary to say that either the one or the other should be dropped.

5981. Mr. *Pusey.*] You think it would be very false economy on the part of the public, if it was to limit the fund for the publication of the calendars and reduce the fund for the publication of the records?—Yes; but the moment the Government have decided that the publication of those documents is material for the interests of the Government or that of the people, they ought not to doubt about the expenditure of the necessary sum of money.

5982. Dr. *Bowring.*] Looking at the facts in their results, have you an acquaintance with the publications of the Record Commission?—No, I have not with the exception of the publication of the new edition of Rymer's "Fœdera," of most of the proceedings of the Privy Council, and of that of Sir Francis Palgrave's Essay.

5983. Should you think, for the publication of this new and uncorrected edition of Rymer's "Fœdera" 30,000 *l.* sterling have been judiciously expended?—I have not the least idea, never having published any thing myself.

Sir *Charles Wetherell*, called in; and Examined.

Sir *C. Wetherell.*

5984. Sir *Robert H. Inglis.*] THE Select Committee of the House of Commons on Public Records in 1800 reported that "The most essential of all the measures for the purpose of throwing open to the public a full knowledge of the contents of the record depositories will be, to print some of the calendars and indexes and also such of the original records as appear the most important in their nature and the most perfect of their kind;" has this recommendation of the Committee the sanction of your approval?—Undoubtedly.

5985. That Committee recommend amongst other works of a similar nature, the preparation of an uniform edition of the Year Books, in which should be incorporated with those already printed the unpublished Year Books, the text of both being corrected by a collation with the various manuscripts and a general index appended; does it appear to you that the execution of this measure would be important as affording better means of becoming acquainted with the history and progress of English jurisprudence?—I think a new publication of the Year Books would be eminently useful; the new edition ought to be collated with the text of former editions, and with the original manuscripts; it ought also to be accompanied with notes; I think also unedited Year Books or Reports of those early periods ought to be published upon this point. I have to state to the Committee that the Bench of the Inner Temple, of which I have the honour of being a member, are in possession of the manuscript of an inedited portion of the Reports belonging to that period which falls within what is commonly called the period of the Year Books; and at our own expense we have had the original report translated, and we voted a sum

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a sum of 300 *l.*, if I recollect right, for that purpose. Having incurred that expense, our next object was to inquire whether we should ourselves publish it, or what ulterior steps we should take to make the book available to the public; I have therefore no hesitation in stating that in my opinion any improvement of the editions of the Year Books already published, and the printing of the yet inedited and unpublished decisions of that period, would constitute a most important addition to the stores of legal science as derived from reported cases.

5986. Does the plan adopted by the Bench of the Inner Temple supersede in your judgment the expediency of the work contemplated in the preceding question, namely, an uniform edition of all the Year Books?—No, by no means; I think that there should be an uniform edition of all the Year Books; I am not aware whether the resolution you have read implies that there is to be a translation of the ancient French, I should say that the translation would be a valuable improvement. Not being aware that any distinct information would be asked of me upon this subject, I am not aware of the exact period of the manuscript in our possession, but we thought it so desirable not to withhold it that we have taken this step I have mentioned, and I cannot but think a complete series of the Year Books would be a very desirable work.

5987. In the suggestion which you have made as to the expediency of a translation of the Year Books accompanying the publicatiou of an uniform edition thereof, do you wish the Committee to understand that it is your judgement that such a translation should proceed in parallel columns with the original, or should be appended, or should be printed in a separate form?—When I have stated that I think a translation would be an improvement, my opinion is given generally and without a minute examination of all particular points; I was not aware of the points upon which I was to offer my opinion, but there is example and experience in support of what I state. The editors of many of our ancient reports have translated them; M. Vaillant's edition of Dyer is a translation and it is a valuable work, many of our old reports being in Norman French. I wish some of them were translated; I should say that the best form of printing the translation would be that which has been often adopted, namely, of giving it in parallel lines with the original text. There are editions of reports in that shape, I have one in my own possession of Levins' Reports in which there is a translation running in parallel pages with the original text.

5988-9. It was also suggested that an uniform edition should be prepared of the ancient law books Glanville, Britton, Bracton, Fleta, formed on a collation of the various manuscripts. Does it appear to you that this also is a desirable work, as affording the means of more accurate and exact knowledge, as affording the means of examining into English history at particular periods, and also the history of English law?—Yes, I should decidedly say so of all those ancient treatises. I do not recollect any valuable edition of any one of them; they consist merely of the text, not accompanied with notes; whether the text is imperfect and whether a collation with the manuscripts would render it more perfect, is a point upon which I am not able to offer an opinion. I am not aware where the manuscripts are, and I cannot say whether that collation would improve the text, but I have no hesitation in saying, if those books were published in a better form, with translations and with notes and commentaries, it would be a great inducement to read those books; they would be much more read than they are at present, and their more extended perusal would itself also be a great improvement in legal learning.

5990. Does it appear to you, that an acquaintance with the Anglo-Saxon laws and the Welsh laws is necessary for writing a history of the law of England?—I should say so of the Anglo-Saxon laws, for all our histories show the value of those original sources of many of our laws and usages; I should say that a more familiar knowledge of the legal antiquities of that period would be a very desirable thing.

5991. Do you think that a new and complete edition of these laws is wanted, and would be a useful undertaking?—My answer to the necessity of a new edition would be beyond my practical means of furnishing any information to the Committee. I have confined my opinion to the improved publication of those books which I have been more in the habit of consulting, and with reference to which my own opinion induces me to think I can with propriety speak with a degree of confidence. As to the books of the Anglo-Saxon period I am not able to speak with confidence.

5992. The same Select Committee of the House of Commons in 1800, from whose

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whose Report a passage was quoted in the first question, also recommend the publication of State Papers, similar to those which form the work of Rymer's "Fœdera"; do you think this is also a subject of national importance?—I should apply to the expediency of making that species of publication the same remark I made as to the expediency of publishing improved editions, or bringing to light and publishing fresh materials of that kind, which are now inedited and in manuscript. I think the publication of state papers or documents of that sort is important with reference to the history of the constitution, the Government and the general history of the country, as important for those general and national purposes, as the decisions in the courts and law books, and treatises, are important to Westminster Hall. I had on a late occasion, an opportunity of feeling the importance of the publication of more documents or memorials, which are commonly called state papers, and which are found in collections of Mr. Read; I allude to the collections called Wilkins's "Consilia"; it gives an account of many proceedings before the Privy Council. Upon a late occasion a discussion took place at the council with respect to the propriety of establishing a new university, a question which had never been argued before at the council. It was essential in that discussion to procure all the information which could be obtained, and to lay it before the Board, and in Wilkins's "Consilia" there is published an account of the proceedings that had taken place as to the visitation of the University of Oxford, in the time of Charles I., a most important document to illustrate the nature of an university as to religious discipline. Again, another important document was produced from a well known collection, called the "Rolls of Parliament," which applied to a very ancient proceeding on the same subject, as early as the time of Richard II. Such documents as these would have been lost sight of; it probably would not have been known that such proceedings as these had ever taken place, unless they had been published in the works to which I have alluded.

5993. *Chairman.*] Is that published by the Record Commission?—No; I think Wilkins's "Consilia" was a publication made by an individual on his own account, but the publication of the Rolls of Parliament was authorized by a vote, either of the House of Lords or of the House of Commons. Now I mention the publication of these two books as of infinite importance for the reasons I have stated.

5994. Sir *Robert H. Inglis.*] The instances which you have given of the usefulness of records and documents of the class to which you have referred, have been instances taken from works, one of which was a private speculation, and the other a Parliamentary publication; has it ever occurred to you, in the course of your experience, to know that the publications which have been issued under the Record Commission have been useful to persons who were engaged in tithe causes, referring particularly to the "Taxatio Papæ Nicolai," the "Valor Ecclesiasticus" and the "Nonæ Rolls"?—The works published by the Record Commission, particularly the various valuations and taxations of ecclesiastical property, are absolutely essential; they are of constant use; there is scarcely a tithe case of any sort which relates to a matter of modus, where it is not necessary to have recourse to them.

5995. *Chairman.*] Have you ever had recourse to them yourself?—Yes; I think I may say I was scarcely ever engaged in a tithe suit, as to a modus or prescriptive payment, without having occasion to refer to them, in order to show whether a payment set up as a modus was an ancient prescriptive payment, or a modern composition. These valors and taxations of tithes are as important as any books which the commission have directed to be printed.

5996. Sir *Robert H. Inglis.*] Has your attention ever been called to the expediency of printing a series of the private Acts of Parliament down to a certain period, for public use, and at the public expense?—Yes; I have once or twice had occasion to look for private Acts of an ancient date, upon particular subjects, and have not easily got them. I think the private Acts of an early period would be a very valuable compilation, if confined to certain select subjects, and to a certain time; if every railway Act, or local canal Act and things of that kind were printed, it would be a useless concern, but private Acts in early times would be desirable.

5997. Can you state any period down to which you think the printing those Acts at the public expense would be a public benefit?—I should think if private Acts upon particular subjects were brought down to the revolution, it would be an useful compilation; in saying this, there are many things that must be excluded from the collection, amongst other things, enclosure bills.

5998. The Right Hon. *C. W. Williams Wynn.*] I believe the number of private Acts

Acts was exceedingly increased immediately after the Restoration?—It was increased after the Restoration, certainly.

5999. Is it not taken notice of in one of the speeches of Charles II. to his Parliament?—Yes, I think it is.

6000. That it had been rendered necessary?—Yes. If it was brought down to about that time, I think it would produce a collection which would be useful: but it must not be embarrassed with those common-place private Acts, the printing of which would be useless.

6001. Sir *Robert H. Inglis.*] In the course of your professional life, have you or not met with complaints of the want of access to documents in the public offices, which have been wanted in the different courts, or of the difficulties with which searches are made and copies are obtained?—Certainly there is considerable expense and great hazard in making a search for documents that may be wanted, and finding them out. If a person who wanted information upon any given point, had access to printed calendars, or printed collections, he might see what documents existed which served his purpose, he might then procure copies of what he wanted. The desideratum is to know what record or document does exist; very great expense is sometimes incurred, and what is supposed to exist is not produced.

6002. The tendency of that answer is to recommend the compilation and the publication of calendars and indexes to the records in the several repositories?—Yes, I think that would be a very useful thing; just in the same way as a calendar of the letters and papers which belong to any period of our history, for instance, the Harleian Manuscripts; you look into the calendar to know whether there is a letter or paper, or document connected with the subject or the transaction inquired into, and this enables the party who has researches to make to prosecute them.

6003. In a former question you were asked whether you had heard complaints of the difficulty of access to the public records in the public offices, in the course of your professional life; have you heard such complaints independently of the question of the difficulty arising out of the fees?—My answer applied to the expense of making searches when you could not know whether records did or did not exist; if the question meant a complaint against any keeper of records in any gentleman whose duty it was to give his assistance, whether they had made any obstructions or difficulties, I am not aware of any thing of that sort.

6004. If there were any confusion in the offices with respect to the records, do you or do you not think that in the course of your professional life you would have been cognizant of such confusion; it being assumed in the question that the confusion is to such an extent as to impose practical difficulties in the way of searches?—That has occurred. I happen to know one of the most curious and important documents in this kingdom, which is the deed or instrument by which the property of the Duchy of Cornwall was identified, was found somewhere in the Exchequer, in a place where it ought not to be, and among documents with which it had no connexion. I say this without meaning to imply more than that this had been an accident. There is a confusion in some places which may be stated without imputation against any person—I mean, that indexes of the nature I have alluded to are wanted.

6005. In those records to which in courts of equity reference is more particularly had; for instance, to the bills and answers, the depositions and decrees, do you think that any difficulty practically exists in making searches for the same?—No; if I am to speak of my own court, I must say, I do not believe that there is any public repository in which greater facilities would be given; for instance, the counsel who are engaged in the Court of Chancery themselves frequently go to the Registrar's office to read and take copies of the words of a deed or instrument, or will, which is stated on the record.

6006. *Chairman.*] Where is the Registrar's Office?—In Chancery-lane.

6007. What records of the Court of Chancery are kept there, and back to what period do they extend?—The exact period I do not recollect; the more ancient bills and answers, and decrees, are not kept in the Registrar's office.

6008. The Registrar's office, if I understand rightly, only contains the more recent records which the court itself, for convenience, keeps in its own custody; the more ancient are sent to the Tower and the Rolls Chapel?—Yes; the more ancient are not in the Registrar's office; but I am unable to state the division of time which separates the two classes, the more ancient and the more modern; but the facility of access which the bar possess, and the assistance given by the officers of

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the court to the bar, is something which I will venture to say it is impossible to improve.

6009. But this phrase, "facility of access," applies to the records in the Registrar's office?—Yes; I am reading a case in the reports of the time of Lord Hardwicke, and I doubt whether the words of a will or deed are accurately given, I have gone to look at the record as stated in the Registrar's book.

6010. That does not refer to the records in the Rolls Chapel or the Tower?—No; I have gone to the Rolls Chapel to look at charters; I had occasion once or twice to go there.

6011. How did you find it out?—I knew the date of the charter I wished to consult.

6012. Sir *Robert H. Inglis.*] With respect to the common-law repositories, can you state whether the declarations, pleas and judgments are equally accessible as the documents required in your own more immediate practice?—I have not had so much occasion to resort there; I have once or twice been to the Crown Office to make inquiries which were most readily answered to me; I am not therefore so well enabled to answer that question as I am with regard to the records of the Court of Chancery.

6013. You have referred in a preceding answer to several of the depositories of national records; are you able to state whether in your judgment it be expedient that one or more common depositories should be erected, which should be constructed with the primary view to the reception and convenient distribution of the national records?—Upon that question, as far as my humble judgment is concerned, I should say that what is called a public national record office is an inconvenient thing, and upon that ground I have in Parliament opposed the establishment of an universal registry. If you have a public office and send to it all the records from the library at Lambeth Palace, all the records at the Tower, at the Chapter House, all the records at the British Museum, and from the State Paper Office and all the other public repositories, you would, in my opinion, take them out of a better custody and put them in a worse. The danger of loss to these things, if they are all put together, appears to me to be an argument against it, and so I have objected upon this principle to a general registry office for deeds.

6014. Your last answer referred to the danger of loss; what species of loss do you consider that the records would be specially liable to?—From fire; my idea is that in each public place of depository or office there is a sufficient care for the preservation of their own muniments.

6015. *Chairman.*] That is an objection to taking private deeds out of the custody of individuals?—I am applying the same observation to the public records of this country.

6016. You would not say that the keeper of the Chapter House has the same interest in keeping the records there that a person has in keeping the muniments of his own estate?—My idea is that the principle of centralization, as it is called, is not a useful thing; my opinion is, that the archives in the State Paper Office would be best kept in that office, and that the archives of the Foreign Department would be best kept under the care of that department; with regard to the records of the Privy Council, that they are best kept in that office; that the records relating to ecclesiastical matters my opinion is, are best kept at Lambeth; that the records of the Chapter House are best kept there. So that each department or body to which ancient muniments belong ought to take care of those muniments.

6017. Sir *Robert H. Inglis.*] Your former answer, which spoke of danger to records, referred to danger from fire?—I have only given that as one.

6018. So far as your answer referred to danger to the records arising from fire if they were transferred to one general repository; are you sufficiently acquainted with the interior of the Rolls Chapel or of the Chapter House to be able to state that they are not in their actual locality exposed to considerable danger from fire arising either within or without those depositories?—I am unable to give an answer upon a comparative view of that question; I have simply said generally that the accumulation of such a vast body of documents in one place appears to me to be very dangerous in that respect; my objection, however, to combining them all in one place is not confined to the danger from fire, I conceive that all these documents respectively belonging to each department, that the access is better at present, and that the access will be found cheaper, and more convenient, according to the present distribution and custody of these documents, under the controul of the several

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several officers or persons connected with the several public departments to which those papers and documents respectively belong.

6019. In the questions which have been put to you in reference to the erection of a general depository for the records, or to the erection of one or more buildings for that purpose, it has been implied that an Act of Parliament would be passed authorizing the respective keepers of the existing offices to transfer the contents of those offices, under the same legal authority as that under which they are now deposited in those respective repositories; does that implication relieve you from any part of the difficulty which you feel as to the expediency or inexpediency of such general repository, or the erection of one or more repositories for the same purpose?—If all these documents and archives, and all the public records were collected together in one building, and then the management of them were distributed, it would, to a degree, meet my very humble opinion, that it is an inconvenience to keep them as a whole, because if the distribution of them to the heads of each department to whom they belong was preserved, it would answer very much the principle which I conceive to be the most useful, namely, that each department should have the controul and keeping of its own documents.

6020. The first question put to you upon this subject had reference to the national records, and some answers which you have given have included a reference to the State Paper Office, and to documents of a class not legally designated by the term records; do you conceive that it might be desirable to place under one depository all the legal records of the country, without giving any opinion upon the expediency of moving the state papers from the State Paper Office, or the archives from the Foreign Office?—Without very mature reflection upon that question, it would be difficult for me to give a positive answer; my impression certainly is, that each department of the law ought to preserve the records and documents belonging to that department; I should say, for instance, that the records of the common law courts and their muniments are under better custody when annexed to them, and so I should say of those that belong to the Court of Chancery, and every other respective jurisdiction.

6021. From your knowledge of professional literature, do you conceive that the publication of the works which you have already described to have been found useful to yourself, and, as you believe, to many other persons in the same profession, such works being specified by yourself as the "Nonæ Rolls," the "Valor Ecclesiasticus," and the "Taxatio Papæ Nicolai," could be undertaken as a commercial speculation by any bookseller, or by any associated booksellers, with any prospect of reimbursement; and if not, do you conceive that such a publication is a fit application of the public money?—I do, indeed; whether any bookseller would undertake the publication of them upon the principle of adequate profit, and the way of his business, I could not distinctly answer; I should, however, doubt much, whether any bookseller would undertake such a publication. Though I cannot speak with confidence, I conceive that the public expenditure is fairly compensated by the general utility of the publications; and it is upon that principle that in what I before stated, I give it as my very humble but decided opinion that it was proper to publish the compilations alluded to.

6022. You have given it as your opinion that there should be a publication of the Year Books?—Yes.

6023. In an uniform and connected form?—Yes.

6024. Do you conceive that such publication was at all likely to be undertaken with any prospect of profit by any private bookseller?—I should conceive not. I should doubt whether any bookseller would undertake such a publication as matter of profit.

6025. Then if it be expedient that such should be published at all, you conceive it is a fair application of the public money that it should be published at the expense of the nation?—Yes, that is my opinion, certainly.

6026. *Chairman.*] Do you say uniformly, that it would be a good application of the public money?—Yes; and in support of my idea of public utility, I have alluded, by way of example, to what are commonly called the rolls of Parliament, and to the books published by the commissioners upon the valuation of tithes.

6027. Sir *Robert H. Inglis.*] Does the same answer apply to the other class of publications to which your attention was called in the early part of your examination, the old law books of Glanville, Britton, Bracton and Fleta?—Yes; I think that the money voted by Parliament for purposes of that sort cannot be better applied.

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6028. Then if such a publication were undertaken at the expense of the nation under the authority of the record commission, you would consider it would be a fitting application of the public money, and a just exercise of the discretion of the commissioners?—Yes, that is my opinion, certainly; and I have stated that the society, of which I am a member, have in fact applied a sum from their own funds upon the principle of public utility, conceiving that a bookseller would not risk it.

6029. And therefore the benchers of the Inner Temple have at their own expense proceeded in the preparation of that work?—Yes.

6030. The Rt. Hon. *C. W. Williams Wynn.*] Do you not consider that inconvenience arises from the division of records and documents of the same class into different depositories?—Yes; I should say that records of the same class would certainly be better kept in one place of deposit.

6031 Does there not to your knowledge exist at present many instances of the division and dispersion of records of the same class into different depositories, for instance, the Tower, the Rolls Chapel, and the Chapter House?—There certainly is an inconvenience in having separate places of deposit for records of one distinct class, and therefore an entire collection of the whole class at one place would certainly be a superior convenience.

6032. The constitution of the present Record Commission is this: a body of honorary commissioners, in whom the supreme direction is placed, amongst whom are eminent lawyers, and gentlemen eminent for their historical knowledge, and subcommissioners, and other persons paid for their services, in whom the executory part is vested; does this appear to you a constitution which is adapted to attain the objects for which the commission was established?—That question, I apprehend, applies to the constitution of the Board.

6033. Yes?—I think so; I think the constitution of the Board is perfectly well adapted to secure its objects. I think there are upon the Board at present two prelates, the Archbishop of Canterbury and another prelate, the Bishop of Llandaff.

6034. Would it be better to vest the supreme direction in persons receiving salaries?—Decidedly not; if I am to give my reasons for entertaining that opinion they are these: if the commissioners are to be paid servants, you must find out men whose qualifications are of such a description as fairly to earn from the public the salaries they are to receive. Now it appears to me that it would be very difficult to find out fit and competent persons whose qualifications are to be the subject of proportionate salaries or remuneration; for instance, upon any subject of a legal nature the commissioners who hold legal offices, or are members of, or otherwise learned in, the legal profession, will give their opinion or advice whether this or that publication is a fit one to be made, whether it is likely to be useful in a public point of view, whether the public expense is recompensed by public utility; I should say that all those considerations and points of discussion as to what the Board ought to do, are better exercised by a judge or other learned member of the Board giving his opinion and advice than by any man who is to be paid for giving that opinion. I would apply the same observation to any subject of literature, for instance, a late learned friend of our's, whose name can never be mentioned in this country without great respect for his eminent attainments, Sir James Mackintosh, I should say that his advice as to the publication of any work in history and general literature, is a better security than the opinion of a paid adviser. Applying the same remarks to any other works falling within the circle of the duty committed to the Board, it seems to me that the exercise of discretion flowing from persons who combine high office and station with eminent attainments is ten times more likely to be correct, and to carry weight with the public than the opinions of persons who may be paid for giving their opinions upon subjects of such a nature as belong to the Board.

6035. Would you conceive it advantageous to unite the direction and the execution of those publications in the same persons?—I do not see how that is possible; the Board are to be men of personal weight in the scale of learning and knowledge and sound judgment; they are to say what is fit to be done; the judge or lawyer will state what he conceives will be of public use in Westminster Hall; the man of learning, the divine, the persons filling important offices under Government and connected with the State, will give their advice and assistance in the consideration of subjects which relate to the history, constitution and Government of the country; but I apprehend that the operative and executive duty of carrying the directions of the Board into effect, must be left to others to act under the direction of the Board. I think the mixture of these two characters implied in the question you have put would

would be extremely inconvenient, and, in my opinion, subversive of the purposes for which the Board exists.

6036. Do you not conceive that benefit must result from having persons who hold high legal and political situations in the commission, as giving to it dignity and weight, and occasionally lending their personal assistance in some of its operations?—I undoubtedly think so; I think that the individuals who from their high attainments and station have been placed at the Board, have been selected for that situation with great judgment, and my objection against a salaried Board is that a Board constituted as this Board is at present, is exempt from all those imputations, well or ill founded, which would be applied to a Board who are to be paid, and especially if the controul and discretion of the Board is to be mixed up with the executive details of what the Board may direct to be done.

6037 Does it not appear to you to be highly desirable to diffuse among persons disposed to engage in historical enquiries those materials which can alone be considered the basis upon which they ought to proceed in their enquiries?—I certainly apply that increased facility of access to historical materials in precisely the same manner as I have done to subjects of legal enquiry.

6038. At the present time, when France, Germany, Denmark, Sweden and Belgium are publishing, at the expense of their respective governments, the materials for the history of their ancient laws and institutions, do you not think it particularly desirable that this country should continue its operations of the same kind?—I have in substance answered that question before; my humble opinion is, that this country is not to be led by other countries, but that it ought to exercise its own independent judgment, as it has done in all the publications it has made; I should not be disposed to be influenced in my opinion by what is done in Belgium; but if I am asked whether this country is to be behind Belgium, or any of those states, in increasing the public stores of knowledge upon subjects so essential to the institutions of the State, I could only answer that question in one way, by stating that this country ought not be behind any other in its diffusion of such an important species of knowledge.

6039. *Chairman.*] I understand you to say, that you think the year books ought to be translated?—I stated that I thought it would be an improvement.

6040. For whose benefit do you think they ought to be translated?—For the benefit of all of us. I can read old Norman French, but I can read the English quicker, and if I want to look at the year books, and run through a page, which I have often done, I can decipher the abbreviated words in the Norman French, and translate the barbarous dialect of the day, with which I am not acquainted; but if it was translated, I could read it and understand it in two or three minutes; whereas, if I had to read it through in the original, it might take me five or ten minutes.

6041. Is it not a lamentable fact, that young lawyers of the present day are not so much addicted as they ought to be to the reading of the year books, and do you think that a translation of the year books would remove the other causes that prevent their reading them so much as they should?—Yes I do; I think if they were translated, they would be much more read, because more easily read; and the translation would attract a class of readers that do not read them at present.

6042. I understand you to say, therefore, that you think that the year books ought to be translated, and printed, or that it would be expedient to do it?—That it would be expedient to do it.

7043. I understand you also to say, that it would be desirable to reprint the ancient law books, such as Bracton, Fleta, Glanville and Britton?—Yes, I think if those four books were reprinted and translated under the care of a man of learning, that the republication of them would very much facilitate and increase the use of them, and that commentaries upon them might be made very useful, in the same manner as Lord Coke's and Hargreave's commentaries are useful to the study of Littleton.

6044. I think I also understood you to say, that you thought the Anglo Saxon and Welsh laws should be reprinted and published?—I did not give an answer as to the Welsh laws, I spoke only as to the Anglo Saxon laws; I stated generally that I thought a good edition of them would be convenient.

6045. You stated also that the old private Acts of Parliament should be printed?—Yes, I have said that a selection of private Acts, down to a certain period, would I think be useful.

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6046. Are you aware that a select Committee of the House of Commons, in the year 1800, recommended the publication of those works?—Yes.

6047. In what manner have those works been executed, has the printing of them that has taken place in consequence been well executed?—I could better answer that question if I had the honour of a seat in the House, which I have not at the present moment; I do not know what progress has taken place under those orders.

6048. Do you know whether anything has been done under it?—I do not know.

6049. Then it appears here are four classes of works it would be exceedingly desirable to print, which it was recommended by a Committee of the House of Commons to print, and as far as you know nothing has been done in the way of printing them?—I am not aware of anything having been done under the order of the House.

6050. You state also that you think at present it is a defect in the Record Offices, that persons wishing to get a knowledge of the information contained in them, are in want of catalogues and indexes?—The answer I have stated to that question in substance is, that if a printed calendar, in the nature of a catalogue, gave an account of what there was contained in any office, that it would enable a person by looking at the calendar to see whether the office contained any document which might induce him to go to the expense of getting a copy of it.

6051. Am I to understand from the hypothetical "*if*" you put in, that such works exist at the present moment or that they are wanted?—I cannot say what exists or not at different offices; when speaking of the office I have alluded to, that of the Register's Office in the Court of Chancery, there is a calendar, a book giving the title of every decree or order, the title of the cause and the date, so that you may easily find what you want.

6052. Applying generally to the Record Offices, you say it would be desirable there should be such catalogues and indexes?—To those offices where there are none. I have never gone to the State Paper Office.

6053. That is an office to which our inquiry does not extend; would not such catalogues and indexes be extremely desirable at the other offices?—I think that they would.

6054. Do you know whether they exist?—No, I do not; I have before stated I am not aware what offices have manuscript catalogues of the archives or records they possess.

6055. Have you any further statement to make to the Committee upon the subjects to which you have been examined?—Yes; I wish to follow up my idea of the publication of these ancient treatises, Bracton, Britton, Fleta, Glanville. It is well known that there are many standard works on the civil law accompanied with commentaries as valuable as the text. I recollect Lord Eldon's opinion of the value of works of this sort when speaking of Mr. Hargrave's notes; he said they embraced so great scope of modern learning that they would travel down with Littleton and Sir Edward Coke and earn an authority little short of theirs. This valuable accession, contributed by Mr. Hargrave, was made from Lord Hale's manuscripts and other sources of illustration since the time of my Lord Coke. So that his notes form a commentary continuing that of Lord Coke down to a modern period. I could wish to see these ancient treatises illustrated with the same degree of learning. There is one observation which I take the liberty of suggesting to the Committee; in my humble opinion it has been for some time past and is becoming every day more necessary to have printed a separate collection of the *repealed* Statutes; in some of the editions of the Statutes the repealed Statutes are left out. Since the Act, consolidating the criminal law, this necessity has been still further increased. A separate edition of the repealed Acts of Parliament I conceive is much wanted.

6056. Mr. *Jervis.*] You are aware there is a commission sitting upon that subject?—Yes.

6057. And that a committee was appointed this session to inquire into the matter?—Yes.

Mr. *Stephen Sweet,* called in; and Examined.

Mr. S. *Sweet.*

6058. Sir *Robert H. Inglis.*] YOU are, I believe, an eminent law bookseller and stationer?—Rather an extensive one.

6059. You

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6059. You are acquainted with the old editions of the Year Books?—Yes; the two editions.

6060. You are also acquainted with such editions as exist of the early law writers, Bracton, Fleta, Glanville and Britton?—Yes.

6061. Would there be any chance of your being remunerated by the sale, if you were to undertake to publish those law books with corrections of the text by an editor who should collate it with the best manuscripts?—Some years ago I contemplated the reprinting of one or two of those books, but found upon inquiry there was great difficulty in getting a competent person to edit these works; and upon calculation, there did not seem a very great probability of any remuneration if I published them, and therefore, after considering it for some few years, perhaps two or three, or four years, and seeing the difficulties that arose with regard to competent editors, and the improbability of any remuneration, I dropped all notion of it; and at present I think it would be a wild speculation in any bookseller, or set of booksellers, to attempt the publication of those works. Perhaps I should strengthen this opinion by stating, that the late Mr. Butterworth, about the years 1808 or 1809, opened a book to receive the names of subscribers to a new edition of Bracton, and after keeping it open more than two years, finding but few names entered, closed the book and abandoned the publication of Bracton, although the editor had made considerable progress in preparing it for the press.

6062. Your answer is the same, assuming that you have found an editor competent for the purpose?—I do not know; a high legal name will have great weight in any of these publications.

6063. Practically you have not found any such high legal name?—No. Those names are *generally* too much engrossed with business to pay attention to editorial functions. Though I have strong reasons for believing that there are many gentlemen of high legal attainments and of considerable practice, who would give their assistance in improving those works as national publications, but who would not condescend to labour for booksellers.

6064. Do you think it would be a safe speculation to publish an uniform edition of the Year Books, with the advantage of a collation with the manuscript copies, and the important additions which it is presumed those manuscript copies will supply to the existing editions?—More than twelve years ago I consulted some professional gentlemen upon the subject of publishing the Year Books, together with many other of the old and scarce reporters, and then made my calculations about the capital that it was necessary to start upon; and I found at least it would require from 20,000*l.* to 30,000*l.* I took some pains to get subscribers for the purpose of publishing the Year Books and those other old Reports; but after bestowing considerable labour on it, I found there was not the slightest probability I should ever receive more than half the expenses that must be incurred in reprinting those works with the necessary annotations and references.

6065. Does that answer apply to the republication of existing editions?—The republication of existing editions with notes.

6066. Without the advantage of collation with the existing editions, would you venture on publishing any Year Book which might exist in manuscript, but of which there is no printed edition?—No; I should not venture upon the publication of any such works as a speculation, because it would be necessary to publish them uniformly with the Year Books already published, which being the most expensive as well as the most inconvenient size, that would deter me if no other consideration would.

6067. Were you present in this room when Sir Charles Wetherell referred to the preparations now made or making by the Bench of the Inner Temple for the publication of a new Year Book?—Yes, I was; and I heard that learned gentleman's observations; but I should say, I do not think there is any bookseller or any set of law-booksellers that would undertake, at their own expense, the publication of the work that Sir Charles spoke of, not even if the society were to make them a present of the manuscript.

6068. Are you aware of these works, the "Valor Ecclesiasticus," the "Taxatio Papæ Nicolai," and the "Nonæ Rolls," with respect to which Sir Charles Wetherell has in your presence answered certain questions?—I heard the questions put to Sir Charles, and his answers. I believe one question was whether it was probable any bookseller or set of booksellers would have undertaken the publication of those works? I am perfectly satisfied that they would not.

6069. You would not yourself have undertaken them?—No, certainly not.

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6070. You are not aware of any associated booksellers who would have undertaken them?—I am perfectly acquainted with the law booksellers, and I am satisfied that none of them would have undertaken them, collectively or individually. But it would enhance the value of these publications if an Act were passed to make them evidence in the courts of justice, we should then find them much more frequently upon legal shelves.

6071. These answers which you have already given in respect to the high improbability of any bookseller undertaking the publication as matter of commercial speculation, assume that such improbability would exist even if the keepers of the record depositories should allow the transcribers and editors of these works to have free access to the records without any fees?—I apprehend so; I think no bookseller would have undertaken the publication of these works, even supposing free access had been given to the records.

6072. Then if in your judgment these works are fit to be printed at all, they are necessarily to be printed only at the public expense, and those who derive benefit from them cannot expect that they should be undertaken by a bookseller or associated booksellers?—They will not be undertaken at the expense of individual booksellers or associated booksellers; but I am satisfied if these works were translated and edited and thought necessary to be published, the most economical method of bringing them before the public would be to submit them to publishers by tender. What I mean by tender is, that when the learned commissioners have a work ready for the press, they cause notice to be given to the publishers that the manuscript, together with a statement of the size type, page and paper on which the same is to be printed, and the number of copies to be delivered for the use of His Majesty's Government, lies at their office for inspection, requesting such publishers as may be willing to send in the terms (sealed) on which he or they will undertake the same, with liberty to print for sale whatever number he or they may deem adviseable; but binding themselves under a penalty, to keep the work constantly on sale for a certain number of years.

6073. *Chairman.*] Has any attempt of that kind been made by the Record Commission?—Never that I have heard of; it has only suggested itself to me in this room.

6074. Mr. *Jervis.*] You have not only been a publisher very extensively, but have been engaged extensively in the purchase of copyrights?—Yes.

6075. Are you also aware of the mode in which the works of the Record Commission have been printed; have they been printed at a considerable expense?—The general style is expensive. The commissioners seem to have considered splendour more than utility.

6076. Look at this book [*handing the Rotuli Selecti to the Witness*], look at the corrigenda to it, and turn over the number of pages, considering the size of the work, what is your opinion of the preparation of a work that requires such a table of corrigenda as that? should you say that it was creditably done?—I should certainly censure both the editor and the printer.

6077. And the superintendent as well?—I would.

6078. Now in addition to that, turn to the page that is turned down, and you will find thirteen manuscript corrections?—Yes.

6079. If in addition to the printed corrigenda you had found those additional errors, what should you say, in a work of that size?—I must say that my reprehensions would have been very strong both of the printer and editor.

6080. I believe that is completed and worked off; it is a work that has been published?—It would appear so.

6081. If a proof had been sent to you in that state, should you not consider it a *foul* proof?—As I am a practical printer as well as a publisher, I should consider it a disgrace to the compositor who had submitted such a thing to the reader.

6082. Even as a proof?—Yes; even what we call a *foul* proof.

6083. Then taking that as a specimen of the Record Commission printing, do you think it advisable to print the Year Books and old law books under that controul, or to make their publications evidences by Acts of Parliament?—But we must, I think, first ascertain what would have been an office copy of this; supposing an office copy had been made, would it have been more correct than this?

6084. That is, with respect to its being evidence?—Yes.

6085. But those printing under the superintendence of the Record Commission had not only the office copy to print from, but the original to correct from afterwards. Under those circumstances, do you think that that body are fit to be entrusted

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entrusted with such a work?—It is upon that ground I would reprehend the editor or printer; but before I would censure the editor so severely, I would ascertain how correct an office copy would be of this work.

6086. *Chairman.*] Why should you estimate the necessity for the corrections on the part of the commission which prints and publishes their works by the correctness of an office copy? Would it not be the business of the commission to take care, before it printed the work, that a greater degree of vigilance had been exercised by those in its employ over the person who made the office copy?—Yes, I should expect so; but I only applied that to the objection about making it evidence, because, supposing the office copies not more correct generally than this (and I apprehend they are not), that would be no good ground for rejecting these publications as evidence.

6087. Mr. *Jervis.*] Look at this page, you will see the word "ten" is printed "nine"—"nono" for "decimo;" is not that a gross blunder?—Certainly.

6088. Sir *Robert H. Inglis.*] Are you aware of any publications under the Record Commission, in respect to which any such errors have been, or you think could be, pointed out, as that to which your attention is now called?—I am not.

6089. Mr. *Jervis.*] You printed Mr. Cooper's work upon records?—No, I did not.

6090. Had you any connexion with the printing of it?—No.

6091. You have sold it?—Yes.

6092. Was it sold as a work under the superintendence of the commission, or Mr. Cooper's own work, or was it understood so in the profession?—I had it through Baldwin's house; but I am not aware under what circumstances it was published, whether it appeared as a work of the commission, or as an individual work of Mr. Cooper. I am ignorant of that at the present moment; if I was ever aware of the circumstances I have forgotten them.

Veneris, 24° *die Junii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert Inglis.
Mr. Pusey.	Right Hon. C. W. Williams Wynn.
Mr. Hawes.	Mr. Charles Villiers.
Dr. Bowring.	

MR. CHARLES BULLER, IN THE CHAIR.

Thomas Duffus Hardy, Esq., called in; and further Examined.

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6093. *Chairman.*] HAVE you any information to give to the Committee respecting the prices of the record publications, and the effects upon their circulation produced by the price?—I have a special instance. I called yesterday at the commissioners' publishers to buy one dozen copies of my General Introduction to the Patent Rolls, for the purpose of distributing them amongst my friends (the commission having only presented me with one copy), expecting to find the price affixed upon it about 5*s.*, which would be its value, but to my great surprise I found that the sum demanded for it was 18*s.*, which prevented me from purchasing more than one copy; and this was the work for the composition of which I asked only five guineas per sheet, instead of which I never received one farthing, but was almost immediately afterwards suspended from my employment under the commission.

6094. Is not that introduction printed at the commencement of the folio volume?—It is, and only 1*l.* 10*s.* is asked for the entire volume; consequently the introduction must be valued at 18*s.*, and the text and indices only at 12*s.*

6095. What proportion does the introduction bear to the text and indices, in bulk?—Comparatively small; the text and indices occupying 271 pages, the introduction only 76 pages.

6096. Is not the folio volume distributed to the public libraries in England, and on the Continent, and in America?—Not that I am aware of; indeed I know that

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there are several public libraries in England that have not had them, but which had the publications of the old commission.

6097. Did Messrs. Baldwin & Cradock inform you that the price of 18*s.* had been fixed by the board without communicating with them, or by the board after communicating with Messrs. Baldwin & Cradock?—When they asked me 18*s.* for the volume I was astonished, and remonstrated with them on account of the high price they had set upon the work, which I considered almost a prohibition of the public from buying it; they told me that 18*s.* was the price the commissioners had fixed upon.

6098. Did you ask them whether they had advised the commissioners to fix that price?—I should never have thought of putting such a question to a bookseller.

6099. Did they inform you that there were only 250 copies printed?—No; I merely went to buy a dozen copies of my own work, and was prevented from so doing on account of the high price set upon it; and when it is remembered that I reprinted at my own cost the Description of the Close Rolls, and circulated it gratuitously, the price set upon the Description of the Patent Rolls is the more extraordinary.

William Fuller Boteler, Esq., called in; and Examined.

W. F. Boteler, Esq.

6100. *Chairman.*] YOU are a King's Counsel, and Recorder of the City of Canterbury?—I am.

6101. Will you have the goodness to inform the Committee whether, in the course of your extensive practice, particularly in tithe causes, you have known that the publication by the Record Commissioners of the Taxation of Pope Nicholas, the Nonæ Rolls, and the Valor of Henry the 8th, has been of service to the parties engaged in them?—Those three publications have certainly been of great service to the parties engaged in tithe causes.

6102. Has it saved them from expense which they must otherwise have incurred?—Of late years from a great deal of expense. I think, for some time after the works were published, it was not so generally known that they were accessible to the public, but since that has been known it has saved a great deal of expense. Parties have referred to the printed copies, instead of being at the expense of employing persons to search for the originals, and to obtain copies of them.

6103. Do you think that the publication of these records, independently of any historical interest which may belong to them, was an expedient measure?—I should say it was.

6104. And if not undertaken by private persons, that it was proper to do it at the public expense?—Private persons I should think could not have done it; the expense would have been too great; therefore it could only be done at the public expense, and I should think it was proper to be done at the public expense.

6105. In your practice have you frequently met with occasions for referring to these records?—Very frequently; this very week there has been a case before the Court of Exchequer, in which one of those records, the Ecclesiastical Survey, has undergone a very minute examination, and been commented upon by the counsel on all sides very much; and that happens repeatedly.

6106. Was that one of the works published by the Record Commission?—That is the third of the works of which I have before spoken.

6107. Does not that apply just as much to works which have not been printed?—There is the Parliamentary Survey in Cromwell's time, which is kept at Lambeth, and not printed; we get copies of that from Lambeth library.

6108. Generally, in tithe causes, is there not frequent necessity for referring to many out of the great mass of records, as well those which are not printed as those which are printed?—The three which have been mentioned are very generally referred to. The Parliamentary Survey is very generally referred to. Then there are records that are scattered about in the various dioceses throughout the kingdom, that are repeatedly referred to.

6109. Are there not other records in the Augmentation Office?—The Ministers' Accounts preserved there are referred to very much in tithe causes.

6110. Are not some of the records in other offices frequently referred to?—The Ministers' Accounts and the Parliamentary Survey are frequently referred to. Terriers preserved in the registries of the different dioceses are repeatedly referred to.

6111. Do not you refer to the registers of the proceedings in the courts of law; for instance, in the Rolls Chapel and Court of Chancery?—To the Grants at the Rolls Chapel very frequently.

6112. Do

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6112. Do you find, with reference to those, that sufficient information is given by indexes and catalogues to save you all the trouble that could be saved by the publication of them, in making a search?—There is no index of the Parliamentary Survey, that I am aware of, published; there is none that I am aware of published of the Grants in the Rolls Chapel.

6113. Is not great waste of time and expense caused by the absence of such indices?—At the Rolls Chapel, if you have certain particulars of what you want to find, the officer then will find it without difficulty.

6114. But not without expense?—If you have the particulars to which I have alluded, then the expense of finding what you want is very trifling.

6115. Suppose you know the property, and do not know the name of the grantor or grantee?—Under certain circumstances there must be what is called a general search, and then the charge is considerable.

6116. You spoke of the Parliamentary Survey at Lambeth; that is a document to which you have occasion frequently to refer?—As frequently as to those which have been printed.

6117. Would it not be a matter of great convenience to the public, if that were printed?—It would be a great convenience to the public. I have seen certain volumes of it, but not the whole of the record; but it would be a great convenience if we could refer to that in the same manner as we can to those which have been published. This record, however, runs through many volumes; and it might not be considered proper to publish the whole of it at length. It might be considered enough to publish an abstract only of much of what these volumes contain. I may mention as a reason (amongst others) for printing some of the records of which I have spoken, that there are single copies only of the originals, the destruction of which, by fire or other accident, would be attended with less mischief, now we have copies of them which may be relied upon as correct.

6118. Dr. *Bowring*.] Supposing you were to apply at the Rolls Chapel with a name or a date, and there were any collateral records of importance, are there any indices there which would open the way to finding those?—I am not able to answer that question. I do not know the mode in which the officers at the Rolls find the records preserved there, but whenever I have asked for one it has been brought to me almost immediately.

6119. *Chairman*.] In the pursuit of one record, are there any indices which might accidentally throw in your way any other records throwing light upon the subject?—I do not know what their indices are; I only know that when I have gone to ask for a record, with the requisite information for the officers, they have produced the roll containing it at once, and we have found what we wanted. As far as regards the facility of finding what was wanted, I am not aware but that Pope Nicholas's Taxation, and the Nonæ Rolls, and the Ecclesiastical Survey, were in that state that there was no difficulty in finding what was wanted before the publication of them; but now we have these records in print with complete indices to them, any lawyer can turn to what he wants in them with the greatest ease. The indices are very perfect to those works; all the places and the names of persons mentioned in the records are given alphabetically, with other aids for finding what is wanted.

6120. Do not you think generally that the Record Commission would have done very great service to legal inquirers, if it had supplied good indices to all the information contained in the record offices?—There is an instance of that as regards the Inquisitiones Post Mortem, of which there are very full indices published. I have referred to these myself rather as a matter of curiosity and of general historical information, than as having a bearing upon tithe questions. These Inquisitions however, are often produced in tithe causes. They are very valuable for the assistance they afford in tracing the descent of families in ancient times, or the history of estates.

6121. Dr. *Bowring*.] Reasoning from the value of the published indices, do you think the publication of other indices of a similar character would be useful?—There are one or two which have been published, that I might not think so useful. I meant to specify the indices to the Inquisitiones Post Mortem as well worth publishing. I think that those indices are valuable books to be in the hands of the public.

6122. The Right Hon. *C. W. Williams Wynn*.] Are you aware whether the commission has recently prepared an abstract of the Parliamentary Survey at Lambeth?—I was not aware of that. At present if we want anything from the Parliamentary Survey, I know nothing to do but to send to Lambeth for it.

William Leake, Esq., called in; and Examined.

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6123. The Right Hon. *C. W. Williams Wynn.*] YOU have had extensive practice in the different courts of justice?—I was admitted a solicitor in the year 1792, and continued a solicitor till the year 1832, when I retired from the profession; and during that time I had very extensive practice.

6124. You were for some years in Parliament?—I was in the three last Parliaments till 1830; from the year 1813 to the year 1830.

6125. Are you acquainted with the arrangement of the bills, answers, decrees and other records in the Six Clerks' Office in Chancery?—Only by the facility with which I always obtained any information that I required.

6126. And in the Register's Office?—I have the same answer to give. How it was conducted I do not know, but I never failed in obtaining any information that I required.

6127. And in the Examiner's and the Report Office?—Precisely the same.

6128. Do not those offices contain the most important of the records belonging to the suitors in the Court of Chancery?—There can be no question of it.

6129. Do you consider the arrangement convenient, and the access to them easy?—In all respects.

6130. Did you ever find any difficulty in making surveys, and in obtaining copies of any documents in those offices?—None whatever.

6131. Have the fees appeared to you to be unreasonable?—By no means.

6132. Do not you think the records in the Chancery offices are the most important, as to matters which are the subject of litigation, of any in the kingdom?—As far as relates to property, certainly I should think so.

6133. Do not they relate to forty millions of stock standing in different names?—I do not know the precise sum, but it is a very large sum; but I believe it is a matter notoriously known.

6134. And to real estate and to other personal estate in every part of the world?—No doubt.

6135. Are you acquainted with the offices analogous to those just mentioned, on the equity side of the Exchequer?—Not so much as I am with the offices relating to the Court of Chancery; but I have had some experience in those, and the same answers which I have given to the questions affecting the Court of Chancery apply equally to the Court of Exchequer. I never found any difficulty in obtaining any information I required.

6136. Or in obtaining copies, or in respect to the amount of fees?—None whatever.

6137. Does your information also relate to the offices of the Courts of King's Bench and Common Pleas, where declarations, pleas and judgments are kept?—I did not practice in the common law courts the last 20 years in my profession, but I knew from my agent that they were similar in that respect, and no difficulty occurred in those courts.

6138. *Chairman.*] To what offices do you extend that evidence?—To the Court of King's Bench and the Common Pleas and the Exchequer.

6139. To all the records of those courts?—Yes.

6140. To all the records of the common law courts, back to any period?—I cannot go back to any period; but whenever I had occasion to refer to them, I found no difficulty, through my agents.

6141. Had you ever occasion to refer to the records of those courts for a period 50 or 60 years back?—I should think to that extent, but probably not much more.

6142. And you suppose that in all those cases there was equal facility?—I think I never met with any difficulty whatever; great facility was afforded by the attention of the officer of the court.

6143. That is as far as you know?—Yes.

6144. That is, that you did not hear anything to the contrary from your agents?—No.

6145. Dr. *Bowring.*] Is there any occasion on which you have had to consult those records further back than 50 or 60 years?—I do not recollect any occasion.

6146. The Right hon. *C. W. Williams Wynn.*] Not in the Court of Chancery?—Yes, certainly.

6147. *Chairman.*] In Chancery, when you search for more ancient records than

than those which are in those offices, where they are under the custody of the officers of the court, in what offices do you look for them?—In the particular offices where I thought it most likely to find them.

6148. Did you ever search in the Rolls Chapel?—No.

6149. Dr. *Bowring.*] Does your evidence apply solely to the records in the keeping of the different courts?—Entirely.

6150. *Chairman.*] In the more immediate keeping of the different courts?—In the more immediate keeping of the Court of Chancery, and the Court of Exchequer, and the common law courts.

Edgar Taylor, Esq., called in; and Examined.

6151. The Right hon. *C. W. Williams Wynn.*] YOU are a member of the Society of Antiquaries, and have been on the council of that society?—Yes.

6152. Are you occasionally engaged in historical researches?—Yes; I am both professionally concerned with records, and literarily with reference to topography and genealogy.

6153. In the course of those researches, have you ever had occasion to make use of the publications of the Record Commission?—Yes, I have continual recurrence to them; they are the tools that I work with.

6154. Have you derived much assistance from them?—Certainly.

6155. Could you have pursued your inquiries, with an equally satisfactory result, without them?—Situated as I am, engaged actively in my profession, I do not consider that I could have entered upon those subjects at all without them; because, in their absence, I must have referred to the offices themselves, which I could have had no time or opportunity to do; therefore, with me, the existence of books of that sort almost involves the question of pursuit or non-pursuit of such subjects.

6156. Not even if you had been admitted to the offices in which the records are deposited?—I mean to say that I have not the time or the opportunity to do it; I am actively engaged in my profession, and it is seldom that I can spare time even to go to the British Museum.

6157. Do you think that other persons engaged in historical researches must experience the same or similar advantages from those publications?—I have no doubt of the fact, as to persons under two classes of circumstances: those who, like myself, are actively engaged in London in other pursuits, and persons resident in the country. Of course persons resident in the country could not have recourse to the original documents.

6158. Are there not some branches of historical inquiry in which these publications supply almost the whole materials on which the inquirer has to work?—Such an inquirer as I pointed out, who has not recourse to the originals.

6159. Do you think that those branches of inquiry could be cultivated with equal ease and success if these publications had not appeared?—Certainly not; those to whom they are the tools and means of their pursuit, cannot work without them.

6160. Mr. *Hawes.*] That answer has again reference to your own peculiar circumstances?—To every person, more or less; but peculiarly to persons either engaged fully in business in London, or resident out of London.

6161. The Right Hon. *C. W. Williams Wynn.*] Do you think the selection of records for publication made by the commissioners has been judicious?—That involves a very wide inquiry. It seems to me that they may have printed some that I may have a little doubt about the utility of, but there have been printed in one way or another the most important; those without which inquirers like myself could do nothing.

6162. Do you think that those which are now in course of publication are such as it is expedient to publish?—I am not aware of any that it is not desirable to publish. There may be questions of comparison, upon which we may exercise various judgments as to which you would take first or last.

6163. The Close Rolls, the Patent Rolls, and the Norman Rolls?—The Norman Rolls are peculiarly interesting to me, and very useful.

6164. The Oblata and Fine Rolls?—The Fine Rolls are certainly very important.

6165. The Pipe Rolls?—Undoubtedly.

6166. The rolls of the Curia Regis?—The rolls of the Curia Regis must be of great importance to persons investigating constitutional questions.

6167. The Early Fines?—The Early Fines are very important in questions of pedigree and genealogy.

 6168. The

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6168. The Privy Council Books?—The Privy Council Books, in a constitutional point of view, are undoubtedly very important.

6169. Is it your opinion that the course of historical inquiry in general has been favourably influenced by the publications of the commission?—I have no doubt of it, mainly for this reason, that the class of inquirers who now investigate these subjects, instead of trusting as they formerly did to quotations, which are often very inaccurate, and repeating one another, can now go to the fountain head.

6170. Do you find an improvement in the works published by the present commission over the earlier works?—It appears to me that they are now proceeding upon a much more economical and proper system than was the case formerly as to some of the early productions, which not only have had great fault found with them as to the execution, but certainly in point of expense seem to have been on too wide a scale. I am always desirous of seeing their books in octavo, in order to bring them as much as possible within the compass of every person in point of price, and in that respect it seems to me that the present proceedings of the commissioners are conducted in a vastly more useful and economical and proper system than they originally were.

6171. Dr. *Bowring*.] Have you visited the different repositories of public records, so as to give a general opinion whether the commissioners in choosing what they have done for publication, have made the best choice among the contents of those offices that they could have made?—I have not passed an opinion upon that, but I apprehend a person could pass an opinion upon that without personally visiting all the record offices themselves. There are abundant sources of information upon that head; we all know what the principal records of the country consist of.

6172. The Right Hon. *C. W. Williams Wynn*.] Do you think generally that the documents published have been judiciously selected?—I think upon the whole; as to the general documents, running through the list of them, I am not prepared to say that one can decidedly say it was of more importance to publish than another which has been. There occur to me two, which are not printed, which I should have liked to have seen printed. I think it would have been important to have had parts of the Red Book of the Exchequer, and also the Liber Niger of the Exchequer printed; but they have been both partially though incorrectly printed, which may be the reason that the commissioners have not published them; but there are many publications that have been printed by the commissioners, which I should think no one could doubt about the propriety of printing.

6173. Dr. *Bowring*.] You are a member of a committee of the Society of Antiquaries, which undertook the management of a certain Anglo-Saxon manuscript. Will you state how you proceeded in that publication, and give the Committee some notion of the cost of the publication?—I was one of the Anglo-Saxon committee of the Society of Antiquaries; and we proceeded there upon what I should suppose would be the system of any other body, and which is most likely that which the commissioners have proceeded upon. We discussed among ourselves which was the most important book to publish. We then had a transcript made, and had an estimate made, of course, of what it would cost. Then we fixed upon a suitable gentleman to edit it, and sent for him and inquired at what price he would undertake to edit it; and we got an estimate from the printer as to printing and paper, and then we ordered the book to be done.

6174. Will you mention any publications which have been printed under the auspices of the Anglo-Saxon committee of the Society of Antiquaries?—We have only completely printed one, which is Cædmon.

6175. That was printed after a collation and examination of all the existing manuscripts, was not it?—That I cannot say; we selected a competent editor, whose duty I conclude it was to do so, and we could only judge by the result afterwards as to whether he faithfully performed his duty. I apprehend that he did, because we selected a man of whom we had the greatest pledge of his talents and accuracy. It was Mr. Thorpe, who is employed, I believe, by the present commission.

6176. The object of the Anglo-Saxon committee was to publish such Anglo-Saxon remains as would not be likely to be undertaken as bookselling speculations?—That was one object; but I should not say that it was indispensable that it should be what a bookseller would not undertake, because in fact there was a bookseller's subscription list going round among the booksellers to publish Cædmon; but we thought it ought to be undertaken under different auspices, and with more care and expense than a bookseller could afford.

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6177. Can you state the cost to the Antiquarian Society of that edition of Cædmon?—I cannot; but I know that the sale of the book would never have paid for it as a bookselling speculation, and that that book was only published by the munificence of two or three individuals connected with the Antiquarian Society, who subscribed and met the expected loss.

6178. Therefore it is an analogous publication to the proceedings of the Record Commission?—Yes, except that it is in Anglo-Saxon type, and with many engravings.

6179. Therefore the difficulties were greater than in the case of records, which are either in Latin, French or English?—Perhaps so, if the book had not been printed before.

6180. Is not it more difficult and expensive to find an intelligent Anglo-Saxon editor than it is to find an editor for the works published by the Record Commission?—There are fewer Anglo-Saxon scholars than there are Latin and French; but taking into account the little to be done in Anglo-Saxon, I believe there is no difficulty in finding an Anglo-Saxon editor for the little that has to be done.

6181. If the number of editors in the market be smaller, the expense must be greater?—But the demand on the other hand is much less, and if it be less than the supply, the observation would not apply. There is no difficulty, I believe, in the result in finding an Anglo-Saxon editor for what may be wanted, and probably at as little cost as for works like the commissioners'.

6182. Will you oblige the Committee by stating in your evidence the cost to the Antiquarian Society of the publication of Cædmon?—I do not know it, but it can be easily got of the treasurer.

6183. What is the next work?—The next work we resolved on was Layamon; it is now in progress, and partly printed; the Antiquarian Society have also in progress a Norman Roll. The publication of Layamon is under the care of Sir Frederick Madden. If I may be allowed, I would add, that it has always appeared to me that a great additional benefit would be derived to the community from these books, if, after careful publication, they were made *primâ facie* evidence for legal purposes. Professionally speaking, we attain but a part of our result, when we have got at these books, to the extent of knowing what our case is; and if the Legislature thought it right to go so far as to make them *primâ facie* evidence in courts of justice, undoubtedly the expense, large as it might be, of the publication by any commission, would be repaid to the suitors and the public, and very abundantly.

Alfred John Kempe, Esq. F.A.S., called in; and Examined.

A. J Kempe, Esq.

6184. Sir *Robert Inglis*.] YOU are the author of several works connected with antiquities?—I am. I am a fellow of the Society of Antiquaries, and have been twice upon the council.

6185. In the course of your researches, have you had occasion to consult the publications which have issued under the authority of the Commissioners upon Public Records?—I have occasionally referred to them.

6186. Will you specify any which you have more particularly had occasion to consult?—I should specify a great many: as, for instance, the Statutes of the Realm, the uniform and authentic edition; the Valor Ecclesiasticus, the Calendar of the Inquisitiones Post Mortem, of the Inquisitiones ad Quod Damnum, the Abbrevatio Placitorum. I have consulted the Calendar of the Patent Rolls in the Tower, the Hundred Rolls, the Testa de Neville, the Nonæ. I have referred to the Pleas of Quo Warranto also, and the Taxation of Pope Nicholas; all works which are well known to antiquaries.

6187. Do you mention those works as not only having yourself consulted them, but as possessing, in your judgment, from the opportunities which you have had of examining them, peculiar importance and usefulness?—I think that they are of the highest usefulness and value to those writers of history, whether general or local and particular, who desire to draw their statements from authentic sources. In genealogical researches, I think, some of them must be of great service. In matters of personal concern, meaning the rights of property, they must occasionally afford, I conceive, very conclusive evidence; and no one can possess a deeply grounded knowledge of the legal forms, constitutions and customs of the realm, without having had recourse to them.

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6188. Looking at the publications generally, or to those which you have specified in particular, do you think that they constitute a mass of archæological literature which, from its extent, its value, and its use, has justified the expenditure of public money in the production of it?—I think that a due share of the public money cannot be better expended than in preserving, and rendering generally accessible to the subject, those ancient documents which illustrate the rise and progress of his constitutional privileges and rights, and the foundation of legal jurisdiction and claims. I have heard that 500,000*l.* has already been devoted to these works. The sum appears perhaps large at the first view of the aggregate; but when I consider that the most important national records of 700 years have been preserved and rendered accessible by this outlay, I am not disposed to think it blameable, or that such an undertaking should be conducted in a niggardly manner.

6189. If it should appear that the actual cost of the publications to which you have referred, shall have been considerably less than the sum quoted by you upon report as having been expended directly in the production of them, the Committee are of course to understand that your estimate of the expediency of the publication is, in proportion, increased?—I think that question is answered by my reply to the last.

6190. With your view of the value intrinsically of the publications which have formed the subject of the preceding questions, can you state that they are likely to be of a nature which would repay a bookseller, or any associated booksellers, in the publication of them as a commercial speculation?—I am of opinion (as far as my experience has gone in matters of publication) that the works published under the authority of the commission, are by no means such as could have realized a profit, or indemnified private individuals in the bookselling trade for their expenses.

6191. Assuming, then, that the works are intrinsically valuable, and that their publication, as a matter of commercial speculation, could not have been undertaken with any prospect of success by any booksellers, are the Committee to understand, as the consequence, that in your judgment they ought to have been undertaken, and that the continuation of them ought to be pursued at the public expense, and under the authority of the Government, or of its delegates?—I have said that without the encouragement of the Government and the aid of the public purse, it could not have been undertaken. I should think so important a work having been begun, it is very much to be desired that it should be carried out to completion as far as possible. I wrote some years since historical notices of the collegiate church and sanctuary of St. Martin-le-Grand, with observations upon the privileges of sanctuary. This work was quoted by the editors of the new edition of Dugdale's Monasticon, as an authority. I wanted to have recourse to the original register of the church, which is deposited with the dean and chapter of Westminster, and is enumerated in the first printed report on the public records. I made an application as a literary individual for that purpose, but owing to local forms (to which I do not mean to attach any blame, because I do not understand them) I could not get at that book; and if it had not been for some extracts that are extant in the collection of Sir Julius Cæsar in the British Museum, in the Lansdowne Manuscripts, I should not have been able to complete my purpose at all; so that it is quite evident the general access to national records is most important to literary undertakings.

6192. As a member of the council of the Society of Antiquaries, and as connected yourself personally with literary antiquities, have you had opportunities of ascertaining whether the judgment of other gentlemen engaged in similar pursuits does or does not correspond with your own, in your estimate of the value of these publications?—I am quite confident that it does; I have had the pleasure of meeting several of my antiquarian friends during my attendance at this Committee, and I think they completely coincide in the idea of the utility and the expediency of their being so published.

6193. The publications which have issued from the press under the authority of the Commissioners of Public Records have appeared at intervals during the last 34 years. In your estimate of the value of those publications, do you perceive a difference in favour of the earlier or of the later works?—I cannot say that I am quite so conversant with the later publications of the commission as with the earlier, inasmuch as the earlier publications, I believe, embrace the most prominent records.

I think

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I think the Parliamentary Writs and the Writs of Military Summons, &c., which were edited by Sir Francis Palgrave, are of the greatest utility; and I think the Introduction to Doomsday Book by Sir Henry Ellis is a most useful production; it is full of early historical illustration and statistical information. I think the Rotuli Selecti ad res Anglicas et Hibernicas spectantes an excellent plan, on the system of a collectaneous work; but I understand that it is deformed by some typographical errors which have crept in; but concerning that I cannot speak critically as of my personal knowledge.

6194. You have referred to the work edited by Sir Francis Palgrave; have you paid sufficient attention to the subject of that work to render you willing to give an opinion, whether it be expedient that such work be resumed, and if resumed, to what period it ought to be carried?—I do not speak of that work in consequence of having had very particular reference to it, but only as to its utility historically and judicially, showing the grounds on which those Parliamentary writs of summons were issued. I am of opinion that a great many of them might be given more briefly in an abstract way, because the formula is very often repeated over and over again; and I think where we could introduce even an antiquarian "ditto," it might save a great deal of expense.

6195. Are you well acquainted with the Fœdera of Rymer, as originally published?—I am pretty well acquainted with the Fœdera, as originally compiled by Rymer.

6196. From your knowledge of that work, and the materials existing in manuscript of an analogous character, do you conceive that much valuable matter might be added in a new edition of that work?—I think it probable, as far as my opinion goes, that much valuable historical matter might be added to the work. Within my own researches in the muniment room of an old hall in Surrey, I found several state documents which might have a place in the Acta Publica of such a collection. I would produce two which I found there as an example, which bear upon prominent historical events, and I do not know that they are to be found in any printed collection, although they are certainly printed documents of the period.

6197. You refer to the More Molyneux Papers?—The Loseley Papers. This one was written I think by Buchanan, the tutor of James the Sixth. It is a proclamation by the Regent Murray, relative to the murder of Darnley in 1568; and the other is a proclamation, stating the reasons of the sentence against the Queen of Scots. Neither of these documents are in Rymer, and I think not in any other collection of ancient documents. We have 12 or 14 volumes of old proclamations in the Society of Antiquaries' library, from which I think valuable selections might be made.

6198. There were three editions of Rymer published, two in England and one at the Hague. From your knowledge of the state of the book-market in England, do you consider that the original work had or had not become so scarce as to justify the reprinting of it?—No; if the subject had been well considered, I do not think the reprinting of it was justifiable. I have always considered on every account, both to avoid unnecessary expense and delay in the progress of completion, that a supplement to Rymer would have been the proper measure to adopt. A particular revision of the published volumes of the old editions (in which there are many errors) might at the same time have been made, and any important corrections might have formed a part of such supplementary work.

Mr. *Thomas Palmer*, called in; and Examined.

Mr. T. Palmer.

6199. Sir *Robert Inglis.*] YOU are Chief Clerk in the Record Office at the Rolls Chapel?—I am.

6200. How long have you been connected with that office?—Forty years and upwards.

6201. Has any improvement taken place in the arrangement of the records in that office since you became acquainted with it?—I cannot state that there has been much improvement; in some respect there was a little improvement about 17 or 18 years ago, when some alterations were made in the chapel, in order to render it more convenient for divine service, and the records of the same species were then brought more together than they were before.

6202. Has any improvement taken place in the state of the records themselves?—No further than by repairing them.

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6203. Has this been done under the authority of His Majesty's Commissioners on the Records?—Yes, it has.

6204. Will you state what the commission has done?—They have repaired and bound the Inquisitiones Post Mortem, from the first year of King Henry the Seventh to the 33d of Queen Elizabeth, in 228 volumes; and as many have been partially repaired as will make about 60 volumes. There have also been washed, ready for repairing, the Inquisitions to the end of the reign of King James; they would make about 108 volumes. They have also repaired and bound, in three very large volumes, the Surveys of Church Livings during the Usurpation. The Returns to Parliament from the 33d of King Henry the Eighth to the 28th of Queen Elizabeth, in 12 volumes; and two more are ready for binding. They have repaired throughout 22 rolls, and many partially. One of the grants to Lord Hawley of fee-farm rents, in the 22d of Charles the Second, having never been inrolled, the signed bill formed a large bundle, and as it had suffered considerably, the commissioners ordered that also to be repaired and bound. The Index to the Patent Rolls of the latter part of Henry the Eighth has been repaired and inlaid in two very large volumes; and the Index to the Patent Rolls of Edward the Sixth, and also the Index to the Close Rolls of Edward the Sixth, have been repaired in like manner, and some volumes have been rebound.

6205. Are those works still going on?—They are.

6206. Do you superintend the operation?—I do.

6207. How many workmen are employed?—Two persons; one man and his son, a boy about fourteen.

6208. Looking at the space which you have in the repository, could more workmen be conveniently employed and placed on the work?—No.

6209. How do they discharge their duty?—Very well.

6210. Are the contents of your office well known to you?—Yes, they are.

6211. Could any record be produced for which inquiry might be made, and which you knew to be in your office, at a moment's notice?—Upon describing the nature of the instrument, and giving the names of the parties and the date, if in the office it would be produced immediately.

6212. Does that facility of reference arise from your own personal memory and knowledge of the locality, or does it arise from any index or catalogue which would be equally an aid to any other person?—Not equally an aid to a stranger; it arises partly from consulting the index, and partly from my knowledge of the locality of the records.

6213. Practically no inconvenience, so far as you are able to state the fact, has arisen or is likely to arise to any suitor or to any student who may desire to search, either for a legal or for an historical object, for any records in the office in which you are chief clerk?—The office indexes containing only the names of persons, inconvenience has frequently arisen from the parties not being provided with the names and dates, and having only the name of the place.

6214. But a full reference being given to you of the name of the place and the name of the person, could you find the document for any party who might desire to have access to it?—Immediately, having also the date of the instrument.

6215. What is the fee for examining an Inquisition Post Mortem?—The date being given, it is 6*s.* 8*d.*

6216. Is that fee fixed by the authority of the Master of the Rolls, or is it a customary fee, the date of which and the authority for which you cannot state?—It is a customary fee, and recommended to be allowed by the commissioners for examining into the duties, &c. of the officers of the several courts of justice.

6217. Is it suspended in the office?—No; there is no table of fees suspended in the office.

6218. Does that fee include the charge for making extracts?—Extracts are not allowed, any further than we allow sometimes the name and the date to be taken.

6219. Is any fee charged for examining the indexes of those Inquisitions?—A shilling a year in each name.

6220. Are the indexes considered the personal property of the gentlemen filling your office, or are they considered the property of the public, subject always to the charge of 1*s.* which you have described?—The property of the public.

6221. You, as chief clerk, are not at liberty, then, to withhold a sight of the index from any gentleman desiring to consult it?—Certainly not.

6222. Is

6222. Is a list of the fees, including the 6*s.* 8*d.* which you have mentioned, printed in the ordinary Chancery books of practice?—I do not know that it is.

6223. Is it, to your knowledge, a matter of notoriety to the great body of the profession?—Certainly it is.

6224. Do many persons engaged in literary works apply to you for an opportunity of consulting documents under your charge?—They do.

6225. In such cases do you charge any fee to them?—No; Mr. Kipling always, upon a proper introduction, allowed them to have access to the records gratuitously, and that course has been followed by his successors.

6226. Then you charge no fee to any person who is not engaged in the pursuit of a professional occupation?—Not when introduced as before mentioned.

6227. Do many of the literary men avail themselves of the privilege which, under Mr. Kipling's order, you allow?—Yes; I recollect Mr. Malone, Mr. Lysons, Mr. Bray, for his History of Surrey, Mr. Clutterbuck, for his History of Hertfordshire, Mr. Baker, for his History of Northamptonshire, Mr. Gage, for his History of Suffolk, Mr. Serjeant Merewether and Mr. Stevens, for their works on Corporations, Dr. Wilson, Mr. Faulkner of Chelsea, and many others engaged in works of minor importance. Mr. Kipling always recommended gentlemen to apply in the first place to the British Museum, and other public libraries, before they consulted the records.

6228. Would a gentleman, on a cursory inspection of the records in your custody, be able to form a correct and complete idea of their state of arrangement, or of the want of arrangement?—A gentleman going into the chapel would suppose, from the first glance, that they were well arranged; in the room over the chapel he might think otherwise.

6229. Would he be likely to make the mistake, and, so far as you know, has any gentleman, in point of fact, made the mistake of confounding a want of space for a defect of arrangement?—I do not know that any gentleman has done so.

6230. In point of fact there is no such want of arrangement, in the judgment of yourself, who have the custody, as to prevent your being able, as you have already stated, to supply at a moment's notice any document, the reference to which, as to date, and person and place, is given by the party desiring to consult it?—We should only require the name of the party and the date, and it would be produced immediately.

6231. Have you any collection of documents under the privy seal in your custody?—We have all the privy seal warrants and the signed bills from the beginning of Henry the 7th, with chasms, to the present time.

6232. Is that series, making allowance for the chasms to which you have referred, in a state of arrangement; could you refer, for example, to any privy seal warrant of the 11th of James the 1st?—We could find it, but it might be very troublesome, as they are not in such a state of arrangement as to be found immediately, but we could find it.

6233. Then any answer which you have given, as to the facility, at a moment's notice, of finding any record, may be held to apply rather to legal documents connected with the Chancery proceedings, than to the privy seal warrants?—There is very rarely any occasion to consult the privy seal warrants or signed bills, because the grants, &c. under those warrants form the Patent Rolls, the Patent Rolls being made up from them.

6234. Mr. *Pusey.*] Does not your repository consist of the chapel, and a room over the chapel?—It does; the room, in fact, is in the roof.

6235. How long have the records been preserved in the chapel itself?—From the earliest period, I believe.

6236. Sir *Robert Inglis.*] Do you mean from the creation of the office of Master of the Rolls?—I should think that records were preserved in the chapel soon after it was annexed to the office of Master of the Rolls.

6237. Mr. *Pusey.*] The present shelves on which they are arranged in the chapel, are they of any considerable antiquity?—No; about 17 or 18 years ago, all that remained of the old presses and shelves were removed, and new ones fitted up.

6238. Divine service is actually performed in the chapel?—Every Sunday morning, except during the long vacation.

6239. Will you describe the mode in which the records are arranged in the chapel, with regard to the situation in which they are placed?—The Patent Rolls

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are placed on shelves, in a passage under the gallery; the Close Rolls in presses in the gallery, and continued on shelves in the room over the chapel, which contains also the Fine Rolls, the Confirmation Rolls, Parliament Rolls and Decree Rolls, which are all arranged chronologically; some of the Miscellania are also in that room.

6240. Are not some placed below the seats of the pews?—There are some of the Miscellania in the lockers which form the seats of the chapel.

6241. Are not some records placed behind the communion table?—They are, the indexes.

6242. You have a want of space in the room over the chapel?—Yes, there is a great want of space.

6243. Is there any facility for a student, who should come there for the purpose of study, to remain and consult the records?—He would remain in the office with the clerks.

6244. You would not consider that a convenient situation for him to study?—There is plenty of room for him to inspect a record, or take an extract from it.

6245. Have you not considerable difficulty in finding the records in the dark passage of the chapel?—Not very great difficulty; sometimes I take out two or three rolls before I take out the right.

6246. Is it not impossible to see any label on the rolls?—It is impossible to see some of them; but I calculate whereabouts they are, and frequently take out the right roll at first.

6247. Sir *Robert Inglis.*] Do the documents to which you have referred belong to the class of miscellaneous records?—No, they are the Patent and Close Rolls.

6248. Will you describe what are designated under the title of Miscellaneous Records?—Pleadings on petitions of right; the Cardinal's bundles, containing inquisitions taken of the several monasteries surrendered to Cardinal Wolsey, and the inquisitions taken after his death, now bound up with the Inquisitiones Post Mortem. There are three rolls of Irish Acts of Parliament in the 10th of Charles, surveys of church livings, some certificates of statute staple, some feodaries certificates. Those are the principal part of the Miscellania.

6249. Do those unsorted records form any considerable portion of the great mass under your custody?—No, only a small portion.

6250. Are the Committee to understand distinctly, that any party desiring to consult a legal document for legal purposes, will at a moment's notice obtain access to such document, upon delivering to you a note of the date and the person?—Yes, at a moment's notice.

6251. Mr. *Pusey.*] If the name of the person were not known, but only that of the place, would there be no difficulty in finding the record?—It could not be found by the office index.

6252. It has been stated that documents have been taken out from volumes of ancient records which have been bound up, and while in your custody. Have you any observation to offer upon that?—Nothing more than that it is done without injury. Inquisitiones Post Mortem are taken out occasionally; when any one is wanted to be copied, it is taken out without any injury to the document, and replaced. They are pasted on guards; therefore they are slipped out without doing any injury to the document.

6253. Then they are not cut?—They are not cut; the margin of the inquisition is pasted on the guard. If the margin is not strong enough, a slip of parchment is pasted on the back of it, and then pasted to the guard.

John Henry Standen, Esq., called in; and Examined.

J. H. Standen, Esq.

6254. Sir *Robert Inglis.*] YOU are Clerk of Reports in the Court of Chancery?—I am.

6255. Of what do the records in the Report Office consist?—They consist of the books of Orders and Decrees, commencing in 1547, about 690 volumes; the Indexes thereto, about 576 volumes; the Reports, commencing in 1590; the Indexes thereto, commencing in 1606, about 230 volumes; the Accountant-general's Certificates, commencing in 1726, being the date of the first appointment of Accountant-general; the Exceptions to Reports, commencing in 1755; the Petitions, commencing in January 1834.

6256. Are the records in the Report Office in good order?—The records in the Report Office of the Court of Chancery are in excellent order; very easy of access, and

and with perfect indexes, except the 15 first years of the reports, when there were not above 20 or 30 in a year, and there were no indexes; but from 1606 the indexes are perfect. I mentioned that the reports commence in 1590, and the indexes in 1606. *J. H. Standen, Esq.* 24 June 1836.

6257. What is the charge for searches?—Sixpence per year.

6258. If the party delivers to you a note stating that he desires to consult a particular document of a certain date, what is the charge which you would make to such an individual for allowing him to proceed in such search?—Sixpence for every year's index; sometimes the party, or the solicitor, is incorrect as to the date.

6259. What is the charge for copies or extracts?—Nine-pence per folio of 90 words; the charge regulated by Lord Hardwicke's order of 28th November 1743.

6260. Are not the records in the Chancery offices the most important, as to matters which are a subject of litigation, of any in the kindgom?—I consider them to be the most important of any in the kingdom, for there are very few estates of any magnitude that have not been connected with proceedings in the Court of Chancery.

6261. From the statement which you have made, it appears that the Accountant-general's certificates are among the records in the Report Office, of which you are clerk?—They are the original certificates.

6262. Are the Committee then to understand that the whole mass of property of stock standing in the name of the Accountant-general, amounting, it appears by the Parliamentary returns, to 40,000,000*l.* sterling, are included amongst the documents in your possession?—They are. Of every transaction of the Accountant-general, the original is found in the Report Office.

6263. Do not those documents also relate to real estate?—They do.

6264. Do they not also relate to personal estate in every part of the world?—They do.

6265. Do you state to the Committee that every document, of the different classes specified in your answer to the first question, may be considered easy of access, and that the whole are in excellent order and well arranged?—Perfectly. I was engaged ten weeks during the long vacation in the last year in arranging them, because the rooms were altered. They are now in a most excellent state of arrangement; there is not a thing that we could not lay our hands upon in less time than I have been speaking.

The Rev. *Joseph Hunter*, called in; and Examined.

6266. FROM the course of your studies in archæological literature, have you formed any opinion concerning the selection which has been made of records for publication under the authority of the successive Commissions upon Public Records?—I have; I have endeavoured to form a settled opinion upon the subject. Rev. *J. Hunter.*

6267. Looking at the great mass published since the year 1802, do you conceive that the selection has been judicious, or otherwise?—As a general answer to that general question, I should say undoubtedly so; but if the Committee will allow me, I will enter into a more specific reply to that question. Take the first publication, the Statutes and Public Charters of the Realm; there will not, I conceive, be any difference of opinion anywhere, that it was expedient to prepare this authentic edition, and that the work should take precedence perhaps of every other. The same remark may, I presume, be made respecting the Acts of the Scottish Parliament. The enlarged edition of the Fœdera, the next work of the commission in point of magnitude, can scarcely be regarded under the head of selection, inasmuch as the preparation of the work had been especially recommended in the Report of the Committee of the House of Commons, out of which the commission arose. All that can be said against that work under the head of selection is, that while so much remains unprinted, it seems to have been a pity to expend the nation's treasure in reprinting the old matter. It will scarcely be doubted that to collect the documents which relate to the early constitution of Parliament, was also a work most highly expedient, and deserving the precedence that has been given to it. Every one who goes to the libraries of the Museum must have found the benefit of the catalogues which the commission has published of the three great manuscript libraries. Now those were the great works undertaken by those eminent and learned persons who directed the operations of the former commissions. And in respect of their other publications, though different minds may take different views according to their peculiar tastes, or the particular objects on which they are intent, yet I think that no person competent to form a judgment upon such a question,

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would be found to maintain that it could at any period have been inexpedient or injudicious to give to the public such valuable records as the Quo Warranto Rolls, the Hundred Rolls, the Testa de Nevill, Pope Nicholas's Taxation, the Nonæ Rolls, King Henry the Eighth's Valor, the Exon Doomsday, the Boldan Book, and the other Supplements, as they are called, to Doomsday.

6268. Would you have recommended rather a distinct work of analogous materials, than a new edition of Rymer embodying such new materials?—Where there is such a great call for fresh information in the shape of books, I am exceedingly reluctant to recommend or to engage in the reprinting anything which is already in print. There had been three editions of Rymer's Fœdera; the book was by no means a scarce book; and with all deference to the judgment of the gentlemen who at that time directed the proceedings of the commission, I should submit it would have been a much more useful expenditure of the nation's treasure to have printed something that had not been printed before, rather than to reprint Rymer; and to give us the new matter which is incorporated in the commission's edition of Rymer in a separate form.

6269. With the exception which you have just stated, you consider that the selection has been judicious?—Yes; I think that as substantive documents, a better selection could not have been made; that is, that there do not remain in the national archives substantive documents which it would have been more expedient to have published.

6270. To what other records do you refer?—There is another class of records which now engage the attention of the commission; those lying in series. Of those which lie in a long series, the former commissions published only the Rotuli Scotiæ; of the others they only printed calendars. The calendars which they printed, whatever objection may be made to them on other grounds, contained much information which it was very expedient to give to the public. To some of the published calendars great objections might be made, and particularly to the calendar of the Inquisitiones post Mortem.

6271. Do you refer to the obvious objection in the case of that calendar, namely, the omission of the column of heirs?—I think that is one very material objection to it.

6272. Are you aware whether any measure be now in contemplation and in progress for supplying that defect?—I know that there is a work now proceeding, which is intended to supply that very material defect.

6273. In the course of those historical researches in which you have been engaged, have you practically had frequent occasion to refer to the different works which have issued under the authority of the Record Commission?—Most certainly.

6274. Generally speaking, have you found that they were of essential service to you?—It was by using them practically that I became acquainted with their nature and value; and I can truly say, that in my historical inquiries I have found those publications of the greatest service possible; they are quite essential to topographical inquiry. Nearly the whole of the historical part of topography rests upon the national records. What is to be gathered from private archives, or even from the monastic chartularies, is small when compared with what is to be found in the national archives. The foundation of all just topography is the Doomsday Book, and the framework consists of facts preserved in the national records. The records of the greatest importance for topographical purposes are the certifications of Henry the Second's time; the Quo Warranto and Hundred Rolls; the various memoranda of the feudality of England, collected in the work called Testa de Nevill; the Nomina Villarum of the 9th of Edward the Second; and Kirkly's Inquest, for the counties for which it exists. Then come the incomparable series of the Inquisitiones Post Mortem and the Fines. Then for ecclesiastical affairs, though the registers of the sees are undoubtedly of the first importance, Pope Nicholas's Taxatio and King Henry's Valor contain much of the most valuable and authentic information we can have respecting them. Now almost all these are now in print, and can be easily used by topographers.

6275. You consider that to topographers they have been specially useful?—I think so.

6276. Do you limit the usefulness of those publications to topographers solely?—By no means; but I consider under the word topography that a great deal is comprehended besides what appears on the first view. A large portion of the results

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results of all our minute literary and historical inquiry appears in the form of books of topography. But so far from topography only being benefited by these publications, every department of English antiquarian literature is benefited very greatly by those publications, some addressed to one line of inquiry and some to another. We should know little or nothing concerning the distinguished Englishmen of a former era without them. I can give special instances of it, if the Committee please. I would mention the case of Sir Thomas Rempston. There is a remarkable fact concerning him, that Richard the Second, after his deposition, passed lands to him by fine. It is mentioned by Thoroton, who was well acquainted with the records, as far as the records were accessible in his time; but he mentions the fact without at all showing who Sir Thomas Rempston was, except as he was owner of the manor of Rempston, in Nottinghamshire, and I think some other manors. But since the publications of the Record Commission appeared, by looking to this name in the indexes, a very good biographical account of him might be made, as may be seen in Sir Harris Nicolas's Scrope and Grosvenor Roll. There was another person I had not long ago occasion to inquire about, an eminent statesman of the same century, of whom I could find little or nothing except what I could trace through the indexes of those publications; I mean John de Sandal. Many similar instances might be adduced.

6277. If such be the value of this series of publications to the topographer, and even to the general historian, how, previously to the publication of the series in question, did the great topographers of England obtain the materials for their respective works?—They did as well as they could. There were persons in the 17th century who seem to have almost spent their lives in making transcripts or extracts or abstracts of those records. Those have been copied again, and are found dispersed over the country to a certain extent. They are all of dubious correctness, and can by no means be said to be at all complete representatives of the documents from which they are taken. These were what they used.

6278. Do you refer to Sir William Dugdale, to Sir Matthew Hale, to Roger Dodsworth, to William Petyt, to the Holmeses, or to what other antiquaries?—Some of those mentioned are of the persons to whom I refer.

6279. Do you consider that there has been any advantage afforded to historical literature, and particularly to topographical inquiry, by the publication and subsequent distribution throughout the kingdom of the series of historical, legal and antiquarian works, proceeding under the authority of the Record Commission?—I conceive that a most material advantage has resulted to historical literature.

6280. Has it, or has it not, placed within the reach of the antiquary, at any extremity of the kingdom, such means of ascertaining the contents of the great masses of legal and antiquarian authorities, as otherwise and previously could be obtained only by personal search in the metropolis itself?—I undoubtedly think so, and that there could be no prosecution of topographical inquiries by any person who has not frequent opportunities of resorting to London, and who could not spend very much time here, were not the most important records on which he has to proceed presented to him as they now are.

6281. Reserving all reference to yourself, as having been engaged under the commission, will you state how far you consider that the task of editing the successive publications of the commissioners has been entrusted to gentlemen duly competent to conduct the same?—In such a great collection of works they are to be expected to be executed with different degrees of approach to accuracy. As to absolute accuracy, that is quite out of the question; it never was attained, and never will, and never can be attained.

6282. But, generally speaking, do you consider that the gentlemen entrusted with the task of editing the works which have been executed, have discharged their commission in a way satisfactory, in your judgment?—That is my opinion with respect to most of the works; I could not well say all. One way of forming an opinion upon such a question would be to compare what has been done under the commission with what has been done elsewhere. Now, compared with Ducarel's edition of a portion of the Red Book, compared with the documents in Dugdale's Monasticon, compared with the first edition of Rymer's Fœdera, the great superiority, in point of accuracy, of the publications of the commission, is most evident.

6283. Comparing also the Parliamentary Writs, as edited by Sir Francis Palgrave, with the Rolls of Parliament, as printed prior to the existence of the commission, but under the authority of Parliament, and by a vote of the House of Lords, do you consider that the publication of the Parliamentary Writs has been one executed

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with more or less accuracy, and more or less research, and doing more or less honour to the editor, than the publication of the Rolls of Parliament did to the editor at that time employed?—If the question relate to what I may call the editorial accuracy of the old Rolls of Parliament, I am not able to pronounce an opinion. I have heard that it is very inaccurately edited, but I do not know it of my own knowledge.

6284. In short you have never compared the text with the manuscript?—I have not; but compared with the works that I have mentioned, comparing the works of the commission with any of the old editions of the Chronicles, for example Gale's: Gale is a very eminent man, and yet his edition of some of the Chronicles is not at all to be compared in point of accuracy with the publications of the Record Commission.

6285. Always reserving any reference to yourself, and allowing you to speak with the delicacy and reserve which you would desire to maintain in reference to the works of other gentlemen, are you prepared to state that the prefaces which have appeared in the successive publications under the Record Commission, particularly in later times, have been such as in your judgment are creditable to the gentlemen who prepared them, and not discreditable to the commission under the authority of which the works appeared?—They appear to me to be highly creditable.

6286. What do you think of the indexes to those successive publications?—I cannot say that I have tested any of the indexes; but it has happened to me to find that in some of the books which are supposed to be the best edited, the index has not always answered when it has been inspected. The old indexes appear to me to be very much overdone, and to admit of compression without any diminution of their utility. I have suggested to the commissioners the possibility of having the indexes upon a different system, which would be quite as efficient, and save the public considerable expense.

6287. You are understood to have expressed an opinion that tables of errata are wanted in many of the volumes printed under the authority of the commission?—I think so; my persuasion is, that no book of difficult execution should come out without a table of errata, because there must be errata. It is certain that many of the works do require tables of errata; and one can hardly suppose that large and difficult works like these can be carried through the press without the editor, upon his last revision, that is, after the work is delivered to him entire, finding something that he will wish had presented itself differently to him. Sometimes faults of his own, and sometimes faults of the printer; though the printers, I must do them the justice to say, have executed their work in a very admirable manner.

6288. In a former question you were asked what you thought of the indexes to the successive works. Will you state specially what you think of the plan of indexes adopted by Sir Francis Palgrave, and by those who have followed him?—I am not aware of any peculiarity in Sir Francis Palgrave's indexes; there may be, but I am not acquainted with it.

6289. You have already stated that you have not tested the indexes generally. In point of fact, are the Committee to understand that you are not prepared to give an opinion specially in reference to the plan of index adopted in the first instance by Sir Francis Palgrave?—No, I am not; if there is any peculiarity in it, I am not aware of it.

6290. Are you aware that he enables the party consulting it to search for his object in three ways: by the Christian name of the party, by the word "filius," and by the name of the father also?—That has been the plan of all former indexes, I believe. If that is the peculiarity of Sir Francis Palgrave's indexes, it is a peculiarity which is found in many other of the books, and I thought in all. I do not conceive that to be at all necessary; and in respect of the Pipe Roll of Henry I., for which I prepared an index, I find by a part of the examination that has been printed, a question was asked of a witness, why the "Filius's," why the Fitz-Alberts and the Fitz-Williams do not appear in that index. Now I am surprised at the question being asked, because we know that as early as Henry the First's time there were no names of that class, but the person described as "Filius Gulielmi," or "Filius" any other name, was one whose father was named William, and not enjoying that as an hereditary name of a gens to which he belonged; it was only the personal addition of that individual; and if any person wished for any information respecting that individual, he would look for it under that which was his name, and not under that which was merely a kind of addition.

6291. The index now shown to you is the index of the Testa de Neville. In that

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that index there is no reference to the party being "filius," nor is there any mode by which the identity of the first person named in the column now before you may be ascertained. Do not you conceive that it would have been an advantage in the index, supposing the passage in the text warranted the addition, to have had it inserted in the index, and a fuller description of the party?—I think a somewhat fuller description of some of those persons should be given; and it will be found that my index is constructed upon that plan.

6292. Are you aware whether any index prior to the index of the Parliamentary Writs had been constructed upon that plan?—I am not aware of it. I have been so accustomed to find many columns of "filius Gulielmi," "filius Alberti," and so on, that I thought it was the universal practice of the makers of indexes to these publications.

6293. Supposing that a person did not know the Christian name, but wished to learn about every "filius Gulielmi" or Fitz-William, how could he have proceeded, in respect to indexes constructed upon the plan of the "index nominum" in the Testa de Neville now shown to you?—He must have had the trouble of looking through the whole index, which would be easily done. But I cannot conceive of any person undertaking such a search: in the period before Edward the First, it would be nothing more than seeking out what was said of every person the name of whose father was William.

6294. The question was only put with reference to the Fitzwilliam family as an illustration, but any other name in the page would have answered the purpose in view in putting the question, namely, to bring before you the difficulty which the inquirer would have, in the "index nominum" in the Testa de Neville, in tracing any given family, so far as the name may be supposed to be a surname, whether "filius Walteri," or "filius Gulielmi," or "filius Simonis," or "filius Hugonis"?—There are about 15 gentilitial names of the class of Fitzwilliam, of which Fitzwalter was one of the most celebrated. A person constructing one of these indexes ought to be able to discriminate between one of these hereditary names and an addition which was shifting in each successive generation, as Robert Fitz-Roger, and then his son John Fitz-Robert, and so on in the line of the great barons of Warkworth. The former ought, as I conceive, to appear, as being the name common to a whole gens, but not the latter; they should be placed in the index only under what is commonly called the Christian name, but which is in fact the proper name, the *nomen*.

6295. Are you aware that the work to which your attention was first directed in this particular series of questions, namely, the Parliamentary Writs of Sir Francis Palgrave, commenced with the period of Edward the First?—Yes.

6296. It has been said that some works attributed to yourself ought to have had a table of errata appended to them; have you anything to observe upon that point?—I know not to what work, really mine, allusion can be made. Three works were placed in my hands when I first became connected with the commission, which I was required to go over; two of them with the editor, Mr. Devon, of the Chapter House. I found a considerable number of corrections necessary. These are thrown into tables of corrigenda, which tables of corrigenda seem to have been mistaken for errata of mine. In these works other corrections were made by cancellation. There are also some variations which were not discovered, or which were not deemed by Mr. Devon proper to be put into the corrigenda, for Mr. Devon had not thought it necessary to conform to the exact mode in which every immaterial word was written, and to have cancelled leaves on this account would have been to have printed the work anew; and to have placed these in the corrigenda would have made the corrigenda preposterously large. He objected also to the expense; and even in words which were material, he held that if the manuscript favoured his reading it was sufficient. To this principle, against which, circumstanced as I was, I could not well oppose myself, I attribute some of the variations which it is alleged exist between that book and the original. These alleged variations, however, I have had no opportunity of examining so as to compare them with the original, and to see what the nature of them really is, and possibly there may be some among them that may be assumed to be errors of Mr. Devon, which are not so, which are results of his editorial principles, or which may be from other circumstances excusable.

6297. Are you aware whether a charge of the kind be made against a work bearing your own name on the title-page?—I am speaking of that work: for I

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did, indiscreetly I admit, allow my name to appear on the title-page of one of those books which had been prepared by Mr. Devon. I wrote a large preface to it; I made the larger index; I read the work over with him, and I prepared those numerous pages of corrigenda which are found there. In the preface I explained distinctly, as I thought, the nature of the connexion I had with that work; I stated that it had been prepared by a gentleman in the office, and that I had only revised it, and that the editorial arrangements were his: and I also by one expression, doing it as delicately as I could towards the gentleman, put the public upon their guard that there were readings which were suspicious. This is the passage: "Variations from the original must not be presumed in all cases in which a different orthography might be expected, or where a violation of a concord is discernible." The meaning of that was, that Mr. Devon had too rigidly insisted upon the principle, that if his reading was borne out by the original, even though there might be reason to think that the original might admit of a different reading, yet that still the book being printed, I was not to reckon those as errors. As an illustration I would mention the case of a person mentioned here. Peter de Colecherch, a name which was perfectly familiar to me, though it stands here Peter De Colecherb, struck through. Now I remember having a discussion with Mr. Devon about this. I told him it was Peter De Colecherch, but the final letter appeared to be the letter *b* struck through. It is probably an *h*, ill written.

6298. Are the Committee to understand that the expense of the cancellation was to be defrayed, and was in fact defrayed, by Mr. Devon himself, and that you were willing to overlook some alleged, or even ascertained errors, because you were unwilling to impose an additional expense upon him in a matter which you did not regard as a matter of primary importance?—By no means, any ascertained errors affecting the sense; the difficulty is in the phrase "ascertained errors," for this Peter De Colecherb could not be called an ascertained error, nor was I entitled to say that it was an ascertained error, the manuscript appearing to favour that orthography.

6299. Then though it was an error in fact, if it were a transcript from an error in the original document, you would not have considered it necessary that Mr. Devon, according to his opinion of editorial duty, should have made the alteration, and you would not have considered it necessary to impose upon him the cost of making the alteration?—That depends upon a very important principle relating to all these books; and that is, the extent of the rights of an editor when engaged upon manuscripts of this description. We are printing here from a single manuscript. It may not be possible, from various causes, to determine in some cases with certainty what the reading is; one record man may read it one way, and another another, and no blame to either. The extent to which accessory evidence is to be introduced requires also to be determined.

6300. The commission has been charged with having printed things already printed, and you have referred to their new edition of Rymer as being in the very terms of the proposition a matter to which such charge applies; do you know any other instance in which the commission have printed anything which had been previously printed?—Of course the Museum Catalogues and the Statutes are to a certain extent reprints.

6301. Is there any publication which has issued under the authority of the Record Commission, which can be considered as a reprint of a former work?—I am not acquainted with any reprint of records, except of this half-year's Patent Roll, which is in this volume of the Rotuli Selecti from the Chapter House; that has been reprinted in Mr. Hardy's volume of the Patent Rolls, where it occupies about two sheets; I have understood that Mr. Hardy proposed that the expense of it should be borne by himself; but, with that exception, I am not aware of there having been anything of any extent reprinted in the works. There are things that have come before me, in preparing the appendix to the general report, which have been printed before, and I have in consequence determined to reject them. I have even opposed my opinion to the wish of a commissioner to reprint a large portion of matter collected by him, of great value in itself, because it had been printed before.

6302. Do you conceive that any publication now in progress ought to be suspended to allow time for further search, in order to ascertain that no further materials exist which would complete such publication?—I do not think that any work that is now in progress need or ought to be suspended in the expectation that anything will be found that ought to make part of it.

6303. Do

6303. Do you conceive the contents of the offices of records to be already well and sufficiently ascertained?—I consider that the contents of the offices are generally well ascertained; that is, that the ascertainment has gone to a very great length indeed. There are some small portions in several of the offices which may not be ascertained; indeed in some of the cases there are classes which, though the general nature of them is known, yet the special matter in them is not ascertained.

6304. Would not catalogues or calendars serve in many cases, as well as the the publication of an entire document or series of documents?—I think so; the commission has already published various catalogues and calendars, and it is going on doing so. There are catalogues and calendars now going through the press.

6305. Have you formed any estimate in your own mind of the extent to which you would carry the publication of records?—If I were to consult my own peculiar views, I should say the extent would be very great indeed. I can hardly conceive of limiting it, inasmuch as I look upon these records as I look upon any historical fragment; and I think it is just of as much importance to publish any inedited letter of a king, or anything in which the State is at all concerned, as it is to publish a newly discovered coin or medal.

6306. In that opinion have you considered the expense which would be involved in a publication so almost unlimited as that?—Certainly; when I spoke of that as being my own views and my own inclination, I by no means intended to be understood that I expect such views to be carried out in practice. I would have as much published as possible, and I should not be disposed to begrudge even a very considerable expenditure, because I feel that no history can be sound without this information, and that such information can hardly be bought too dearly; it comes under the category of the value of knowledge, and I think that to diffuse sound information among the people is one of the highest offices of a wise and enlightened government.

6307. You state that you do not conceive that any publication now in progress ought to be suspended; do you conceive that the commission exercised a sound discretion in suspending the publication of the new edition of Rymer?—I do.

6308. So far as you know the constitution of the commission, and its working, do you consider that it is practically adapted to promote the general objects confided to it by the King?—So far as a subordinate member of this commission may give an opinion upon that question, I can say that, as far as my own practice and my own duties under the commission have enabled me to understand the working of the commission, it has been in every respect what I could desire it to be. I have found the commission desirous and anxious to do everything which is required from them in the terms of their commission, and to do it in the best manner.

6309. The last question, and the question now about to be put to you, proceed upon a full feeling of the delicacy of your own position: Are you prepared to state to the Committee that you have experienced any inconvenience from the professional engagements of the secretary; and if there be a difficulty in your own mind in giving the answer, the Committee will make the fullest allowance for it?—I do not feel any difficulty. The only inconvenience that I can at all speak of as an inconvenience that I have experienced, has been, that I have occasionally had to go into the courts to speak to the secretary there, which is not so convenient as speaking to him at his own chambers: but generally I have found him at his chambers, where I have always found him easily accessible, prompt in executing any business he had to perform, and explicit in any directions I had to receive from him, looking upon him as the organ by which the commissioners communicated with the sub-commissioners.

6310. Continuing to you the same discretion, because admitting the same delicacy in the question now about to be put to you, as in the two former questions: Are you prepared to state to the Committee your sense of the value of the secretary's work on the public records, entitled, Cooper on Records, two volumes octavo?—That work is to be looked at in the character of a compilation, rather than as an original work, being made up of a great variety of matters contributed by various persons, and the portions of it are of different degrees of merit; combining also, as it does, the opinions of so many persons, there may be even contradictions, and there are some things which require re-examination. They do not go forth as the opinions of the editor or the author; they are the opinions of

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persons whose writings are there collected together. But as a Manual of Record Literature, I hold it in very high estimation; there is no book which resembles it; there is nothing which can be put into the hands of a person, who may be supposed to be a student in record literature, with equal propriety with this work of Mr. Cooper's. That is the light in which I regard the book, and I consequently look upon it as a very valuable and useful work; at the same time reserving the point, that made up as it is of contributions of various people, there will be found various opinions, and some things which perhaps might, on revision, be as well omitted.

6311. Do you consider that it is sufficiently announced and acknowledged that the work is a compilation, and consists of authorities different in their origin and value?—I think it is. There is one expression which is perpetually occurring in it, "from an unpublished manuscript," and a very large proportion of it consists of prefaces which have been prefixed to different publications of the commission; there is nothing like what I should call an author's composition in it.

6312. Do you think that Mr. Cooper has made himself sufficiently responsible in his personal character for the work published under his name?—He cannot have made himself responsible for all the statements in it, because there are some statements there at variance with each other; he gives one thing as the opinion of one correspondent, and then the opinion of some one else; and I dare say if some of the quotations were collated with the originals, there might be found some things to be corrected.

6313. It is understood that you have prepared an analysis or abstract of the Parliamentary Surveys in the library of the Archbishop of Canterbury; have you experienced any difficulty in gaining access to them, or in the performance of your duties under the commission, in your searches at Lambeth?—Not the least; his Grace was pleased to direct that his officers should give me every possible facility. I was several weeks engaged in the work, and I experienced from his Grace's officers every possible attention. The result is, that the commission will soon put the public in possession of a knowledge of the places concerning which information is to be found in those surveys, which Mr. Boteler has this morning told the Committee it is so desirable that the public should possess.

6314. Are you sufficiently acquainted with the proceedings of foreign governments, in the matters of records, and in the publications connected with archæological literature, to give an opinion as to the result of such proceedings, and the value of any publications carried on by such foreign governments?—I only know, generally, that such operations are being carried on by foreign governments; and I have seen works, without having examined them, which have been published by foreign governments, bearing some resemblance to ours.

6315. Dr. *Bowring.*] Have you seen any of the publications of the Danish government, which have lately appeared, on the subject of early Scandinavian law?—No, I have not. I beg to say that I understand that a volume, the Rotuli Selecti, in the title-page of which my name appears, has been submitted to a witness on a former day, and that he has spoken of it unfavourably; and I request permission to see the copy which was exhibited to the Committee.

[*Mr. Cole, being present, delivered the Volume to Mr. Hunter for his inspection.*]

Patrick Fraser Tytler, Esq., made the following Statement:

P. F. Tytler, Esq.

I REQUEST to add to my evidence, given on a former day, that I have found the Rotuli Scotiæ of very valuable assistance in the History of Scotland.

Lunæ, 27° die Junii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.
Mr. Pusey.
Sir Robert H. Inglis.
Sir Charles Lemon.
Mr. Hawes.
Dr. Bowring.
Right Hon. C. W. Williams Wynn.

MR. CHARLES BULLER, IN THE CHAIR.

James Colquhoun, Esq., called in; and Examined.

J. Colquhoun, Esq.

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6316. *Chairman.*] YOU are the Consul for the Hanse Towns?—I am Agent and Consul-General for the Hanse Towns, and Consul-General for Saxony.

6317. Has any correspondence taken place between you and the Record Commission respecting the publications of the board?—Yes, on applications from the public libraries at Hamburgh, Bremen, Lubec, Dresden, and Leipsig.

6318. Were copies of the publications of the Record Commission sent to the libraries of which you speak?—Yes.

6319. Were they esteemed a valuable and acceptable present?—Yes, undoubtedly; the authorities have expressed themselves very strongly to that effect; they described them at Hamburgh as a very valuable gift, stating, "I beg you will, in acknowledging the receipt, express the Senate's gratitude for this particular attention and valuable gift, and add, that the Senate will feel happy if the archives and libraries of Hamburgh can afford any assistance to the interesting labours of the Record Commission. 26th Nov. 1832." Then from Bremen, "The truly magnificent present of the Record Commission already occupies its place in the Bremen public library, and has been duly noticed as it ought in an article in our newspaper. 2d July 1833." Then from Lubeck, 8th Mars 1833. "Le senat, monsieur, tres sensible aux bons offices que vous avez employés et continués au sujet de la riche et remarquable collection des actes publiques Anglais, me charge de vous repondre et de vous remercier; la collection dont vous nous faites espérer d'être régalés par la liberalite du Gouvernement Britannique formerait un des plus grands ornémens de notre bibliothèque. 23d Mai." Then there is a letter from Saxony to the same effect, also in French.

6320. Was a desire expressed on the part of other towns to become possessed of the works?—Yes, several others; for example, Wolfenbüttel and Halle; they applied to me for them to be sent there, but not being in Saxony or the Hanse Towns, I have nothing to say to them.

6321. I suppose the Germans resemble the English in that particular; they like getting anything they can for nothing, anything in the shape of a present?—They would not value a present unless it was worth having.

6322. If they got it absolutely for nothing, they would not look at a gift horse in the mouth any more than the English would; these works were given to them free of any expense?—Yes, except the packing, freight, and carriage.

6323. Were these collections regarded upon the Continent as valuable contributions to historical literature?—Yes, certainly, as the above extracts record, confirmed by the verbal reports of persons from the Hanse Towns and Saxony, who have from time to time been introduced to me.

6324. Have you reason to think that persons engaged in inquiries into the history of ancient institutions and ancient systems of jurisprudence in different states of the German confederacy did resort to these publications as sources of information?—I have every reason to believe so, because I know that they have been resorted to by John Martin Leppenberg, Doctor of Laws and Archevist of Hamburgh, "an antiquarian of distinguished reputation and acknowledged merit, well versed in the old Saxon literature, and in early English history, upon which he has written and published; his ingenuous and laborious researches into these

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records have and will bear ample fruit, in the opinion of competent judges; others will no doubt follow his example." I quote the language of the syndic secretary of state at Hamburgh.

6325. So that you think that historical science on the Continent has been benefited by the labours of the English Record Commission?—Yes, unquestionably, and will continue to be benefited, from the habits of industrious research which the Germans delight in, especially as regards antiquarian and historical science; besides, the Holstein, Hamburgh, Bremen, and Lubeck people, and those of the circle of Upper and Lower Saxony, consider their country as the father land of Great Britain, and (to use the language of one of the syndic secretaries of state on the occasion) "take a deep interest in their prosperous descendants beyond the sea." The Hanseatic governments have therefore during the last 30 years selected an Englishman as their agent and consul-general here, to whose care they have confided their political and commercial negotiations, from a perfect confidence in the English character, and a belief that the interests of the two countries are identified.

6326. As you think that historical science on the Continent has been so much benefited by the labours of the Record Commission, can you point out any one discovery relating to any topic of history on which those publications have produced information in Germany?—I myself have not read the records; I can only speak from what I hear of the opinions of others, and cite Dr. Lappenberg's work on the Anglo-Saxon period of English literature, about to be translated into English, having reference to these records as authority.

6327. You cannot state what fruits those very beneficial publications have produced?—No, not in addition to what I have already stated as regards Hamburgh.

6328. Sir *Robert H. Inglis.*] But in your diplomatic character you convey to the Committee the opinions you have received from others with whom you are connected on the Continent?—I do.

6329. *Chairman.*] Does it appear to you that the present of these works has contributed to promote friendly international relations?—Yes, certainly; they have tended to make the learned in Germany acquainted with early English records, and they have produced a friendly feeling towards Great Britain, as I believe.

6330. A present of any kind will produce a friendly feeling towards those from whom it comes?—Yes, friendly presents, as in this case, if worth having; but unless they are valuable they would be hardly thanked for as waste paper, the receiver paying the carriage, &c.

6331. But it would be a compliment and produce a good feeling?—Yes.

6332. Sir *Robert H. Inglis.*] Especially among persons who have a more accurate knowledge than you have of the intrinsic value of the work?—They would be more esteemed by those who know their value than by those who do not, which is my case.

6333. *Chairman.*] Are you able to state, either from any representation to yourself, or from your own observation, that this present is likely to operate beneficially in facilitating the access of English travellers to the libraries and repositories of papers and archives on the Continent?—I should presume so, on the ground of reciprocity, and I should not hesitate on that ground to give letters of introduction to English persons going to those cities to have access to the public libraries there, in consequence of the foundation laid by this country by the present of these records.

6334. Sir *Robert H. Inglis.*] In your diplomatic character, are you aware whether many applications are made to the King's Government for the publications issued under the authority of the Record Commission?—I only know the cases of Hamburgh, Bremen, Lubec, Dresden, Leipsic, Halle and Wolfenbüttel, and I think Giesan and Saxe Weimar.

Mr. *Obadiah Rich*, called in; and Examined.

Mr. *Obadiah Rich.*

6335. Sir *Robert H. Inglis.*] YOU are, I believe, a bookseller, having extensive correspondence with the United States?—I am an agent for the purchase of books for several institutions in America.

6336. Are you acquainted with the publications that have issued under the authority

authority of the Commissioners of Public Records?—I have forwarded sets of them. Mr. *Obadiah Rich.* 27 June 1836.

6337. Can you state generally how many sets you have sent?—Upwards of 20.

6338. Are you aware whether any sets have been transmitted to the United States as presents from the King's Government here to any of the institutions in the United States?—Yes, all the copies I forwarded were sent in that way.

6339. Can you state to this Committee with what feelings such presents have been received on the part of the citizens of the United States?—They have been received with very extraordinary sensations of gratitude for the presents made to them. I have all these letters [*producing a bundle of papers*]; they are letters of thanks from different institutions and different individuals; some of them enclosing letters to the commissioners, which I have handed over to Mr. Cooper.

6340. Be pleased to select one or two letters and read them to the Committee, any one or two which, from the position of the parties, may most fully represent the sense entertained by historical and legal inquirers, or by public bodies in the United States?—Most of these letters covered letters of thanks to the commissioners; they apply mostly to myself. I observe a number of other societies applied to me afterwards to see if I could get copies sent to them; all these letters are expressive of thanks. The following will serve as a specimen of the opinion expressed in all of them:

David Ridglely, Esq. Librarian to the State of *Maryland.*

"PERMIT me to express my high gratification on the perusal of your correspondence with C. P. Cooper, Esq. relative to the presentation by the British Government of rare and valuable works now publishing to the several public libraries of this country. This act of munificence on the part of that enlightened and magnanimous nation cannot fail to be properly appreciated by the American people."

Rev. *Hector Humphries*, D.D., President of St. John's College.

"ANY return which we may have it in our power to make to reciprocate the noble munificence thus manifested to our country, it will afford us the highest pleasure to render."

University of Virginia.

"IT is ordered that the chairman of the Faculty do communicate, in suitable terms, to the proper authorities of Great Britain, through Mr. Rich, of London, the sense entertained by the rector and visitors of the University of Virginia of the courtesy and good feeling so conspicuously manifested by the Government of Great Britain in the present instance, and that they will order the valuable publications presented to be placed in their library, as an honourable evidence alike of the zeal of that Government for the diffusion of useful learning, and of the liberal sentiments of national amity and consideration which prompted the offering.

"*C. Bonnycastle*, Chairman."

University of Alabama.

"ON behalf of the Trustees and Faculty of this University, allow me to express sincere and heartfelt thanks for this exhibition of British kindness and liberality, and also for your agency in the affair. Please to make these acknowledgments acceptable to those concerned, &c.

"*A. Wood*, President."

12, Red Lion-square, London, February 22, 1834.

BY the annexed correspondence, you will perceive that the British Government intend to present to the library of your institution a complete set of the valuable publications of the Record Commission, a catalogue of which you will also find herewith: as soon as they are ready, they will be sent by one of the packet ships to New York, to the care of Messrs. Goodhue & Co., to whom you will please to give the necessary directions in regard to forwarding them to you.

I take this opportunity of offering you my services in this place, and remain very respectfully, Your humble servant,

O. Rich, Agent to the Library of Congress,
And to the principal Literary Institutions in the United States.

Sir, London, February 21, 1834.

IN consequence of your suggestion, that the Record Commission were desirous of presenting copies of their valuable publications to some of the literary institutions of the United States, I have the honour of enclosing herewith a list of the principal libraries where

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where they would be most acceptable, and to which I shall have great pleasure in forwarding copies. I have numbered them according to their relative importance, in order that the commissioners may be the better enabled to judge which to send to. Some of the latter numbers are inserted more on account of their *locality*, there being other libraries of more importance, but situated in the immediate neighbourhood of the institutions mentioned in the first part of the list. It will be a great gratification to me to be the medium of transmitting to the United States this noble mark of the liberality and good feeling of the British Government towards my country, and I feel confident that it will be productive of the happiest effects in drawing together the bonds of union between two nations more closely allied by natural ties than any other two on the face of the globe.

I have, &c.

C. P. Cooper, Esq. *O. Rich.*
Secretary to the Record Commission, &c. &c. &c.

Public Libraries.

1. The Philadelphia Library, Philadelphia.—Pennsylvania.
2. The Boston Athenæum, Boston.—Massachusetts.
3. The New York Society Library, New York.—New York.
4. The Charleston Society Library, Charleston.—South Carolina.
5. The Baltimore City Library, Baltimore.—Maryland.
6. The New York State Library, Albany, New York.

University Libraries.

14. The Library of Bowdoin College, Brunswick.—Maine.
11. The Library of Dartmouth College, Hanover.—New Hampshire.
7. The Library of Harvard University, Cambridge.—Massachusetts.
12. The Library of Amherst College, Amherst.—Massachusetts.
15. The Library of Brown University, Providence.—Rhode Island.
8. The Library of Yale College, New Haven.—Connecticut.
16. The Library of the College of New Jersey, Princeton.—New Jersey.
9. The Library of the University of Virginia, Charlottesville.—Virginia.
17. The Library of the University of North Carolina, Chapel Hill.—North Carolina.
10. The Library of the College of South Carolina, Columbia.—South Carolina.
18. The Library of the University of Georgia, Athens.—Georgia.
19. The Library of the University of the State of Alabama, Tuscaloosa.—Alabama.
13. The Library of Transylvania University, Lexington.—Kentucky.
21. The Library of St. Louis University, St. Louis.—Missouri.
20. The Library of the University of Ohio, Athens.—Ohio.

Sir, New Boswell-court, Lincoln's-inn, Feb. 22, 1834.

Being assured that His Majesty's Government and the Record Commissioners entertain sentiments in all respects corresponding to those which you recently stated to me were entertained by the United States towards the British Isles, I have had no hesitation in instructing His Majesty's printers to prepare sets of the record publications for the *whole* of the American libraries mentioned in the list accompanying your letter of yesterday.

I am, &c.

O. Rich, Esq. *C. P. Cooper.*

6341. *Chairman.*] What is there in those thanks to justify your expression of "extraordinary sensations of gratitude"?—It is considered one of the most valuable presents that could be sent to them by the parties they have been sent to.

6342. Sir *Robert H. Inglis.*] In what year were you first engaged in transmitting sets of these works to the United States?—In 1834.

6343. Do you know whether any had been previously sent through any other channel?—One other copy was sent to the library of Congress of the United States, which was in 1833; I had some instructions to see to the obtaining it; it was considered when it was sent as a very interesting collection.

6344. Do you happen to know in what year the existing Record Commission was appointed?—No, I do not; Sir James Mackintosh was applied to, about seven years ago, for the set sent to the library of Congress.

6345. Can you state generally to the Committee that the present of these works was regarded as a very acceptable manifestation of good feeling on the part of England towards the people of the United States?—Yes; I have 100 letters from different persons, expressive of the same feeling. I have also seen articles to the same effect in the American newspapers, and every person I have seen from the United States has uniformly expressed the same opinion in regard to the importance and value

value of these donations, and of the friendly feeling towards Great Britain produced by their reception.

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Edward Wedlake Brayley, F.S.A., Esq., called in; and Examined.

E. W. Brayley, F.S.A., Esq.

6346. Sir *Robert H. Inglis.*] YOU are the Librarian, I believe, of the Russell Institution?—Yes; I am librarian and secretary.

6347. And you have for many years been engaged in topographical pursuits?—36 or 37 years.

6348. In the first instance in association with Mr. Britton?—Yes; we began the Beauties of England and Wales in 1800.

6349. In the course of the researches in which you have been engaged have you had occasion to consult the publications issued under the authority of the successive Commissions of Records?—Very frequently.

6350. Have they contributed materially to assist you in your pursuits?—I consider that they have, and more particularly in the recent work we have published on the late Houses of Parliament.

6351. Could you have proceeded with any satisfaction to yourself without them?—No; they have been of the most essential service; sometimes by way of index, and at other times by the information that they have especially contained.

6352. Do you conceive that any persons engaged in those pursuits can engage in them without feeling the great advantage of having such materials prepared as are prepared in the series of works in question?—Certainly not.

6353. Looking at those publications as one grand series, do you or do you not regard them as containing the largest materials for topography as well as for constitutional history which the country has produced?—Yes, I do consider them so.

6354. Will you specify any of the works, selecting them from the mass?—There are so many of them which I consider extremely valuable, that it will be somewhat difficult to specify any in particular, but I would at once say that the Hundred Rolls have been of use, and the Originalia and the Fœdera and the Valor Ecclesiasticus.

6355. When you say the Fœdera, do you mean that the additions incorporated in the new edition of the Fœdera, have been so important to you as to justify your specification of that work as one of those from which you have derived the most advantage, considering there were three other editions of the Fœdera?—It was the Hague edition which I have chiefly consulted, and also the volumes published by the Record Commission.

6356. Do you consider that the additions made to the old edition have been so considerable in number or in value as to justify you in specifying such publication as one of those works from which you have derived the most advantage?—Perhaps not, as regards the additions made to it; but I have looked them over for particular objects. I have not looked over the volumes published by the commissioners generally, but I have looked over them for the particular object on which I was engaged, and sometimes I have found assistance in the new edition.

6357. Many of the publications are catalogues and calendars?—The catalogues are, I think, particularly useful as saving a great deal of time.

6358. Taking one of those calendars or catalogues into your hand, and referring to any subject which you wished to consult, can you state that your own occupations have been such as to allow you to have referred to the original documents without the advantage thus furnished to you in the shape of a calendar or catalogue?—Certainly they would not. They have been of the most essential service, in point of saving time, in having them before me. I am now speaking of the set presented to the Russell Institution; before I had that set I was obliged to refer to the British Museum, or to friends of my own who had them in their possession, which was attended with much loss of time and inconvenience.

6359. Do you or not consider, on the same ground, the possession of these works is the means of economizing the time of literary and legal inquirers by enabling them to see at one view in their own rooms that which they could not otherwise have seen except in distinct repositories at distant places?—Assuredly so.

6360. So that the utmost which could have been expected, even if the several record offices were thrown more open to literary men, would be that a small single document might be sometimes consulted with more advantage, but that the great mass of the documents could not be brought so near to you for practical purposes

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of consultation, as they are in the shape of the volumes issuing, and which have issued, under the authority of the Record Commission, and which are now upon the shelves of the Russell Institution?—In a certain degree that would depend upon the time and the opportunity allowed in the record offices to consult the documents; but I consider it a great saving of time to have them before me, and even as good indexes of what may be contained in the different repositories.

6361. The Committee are fully aware that Doomsday Book, in its original form, was not printed under the authority of the Commission of Public Records. Without reference now to the additions or the introduction, but from your own knowledge and topographical inquiries, and your inquiries in connexion with the general history of the earlier days of England, have you reason to think that such materials as Doomsday Book furnishes could have been much used unless it was printed?—No, I should think not; the manner in which it is written renders it difficult to be read, and would prevent many from generally using it.

6362. Applying the same observation, so far as it may be applicable, to the subordinate works published since the additions to Doomsday proceeded from the press under the authority of the commission, will you state how far the Valor Ecclesiasticus, the Taxatio Papæ Nicolai, and works of that sort, have been more used and more serviceable in the printed state than if they had remained in their manuscript form?—I can have no doubt that they must have been of far more service in a printed form than in a manuscript state.

6363. Do you look at the service which these publications may have rendered to the literary and legal inquiries of Englishmen, or to those of the topographical inquirer only, or do you regard them as also valuable to the student in general history and constitutional archæology?—I consider them of great utility in all the branches of literature connected with subjects of antiquity.

6364. Are you acquainted with the publications under the authority of the present commission, as distinguished from the publications under the authority of the former commissions?—Not having attended to the dates of the former commissions I am not; but I consider that the Minutes of the Privy Council, edited by Sir Harris Nicolas, and the Close Rolls, edited by Mr. Hardy, are very valuable, and equal to any that have gone before them, or even superior.

6365. Do you consider that the cause of general literature would suffer if publications such as you have specified were discontinued?—I think it would.

6366. With that estimate of the publications which you have stated to the Committee, and having been engaged yourself in topographical researches and topographical publications, extending for 37 years, can you state to the Committee that such a series would have been likely to have been undertaken as a commercial speculation by any individual bookseller, or any associated booksellers?—I think not. I am perfectly satisfied there could have been no profit nor any reasonable compensation.

6367. Then if the publications be intrinsically valuable, and if they could not have been undertaken as a matter of private speculation, do you regard their publication under the public sanction and at the public expense to have been a justifiable application of public money?—Yes, I do.

6368. Dr. *Bowring*.] Do you state that under a knowledge of the cost of the commission?—No; I am quite unaware of the cost; I speak of their national utility; and when a general and public good is to be effected, the question of cost is an inferior consideration.

6369. Supposing 600,000*l.* had been spent for the production of that which the two Record Commissions have produced, would you then answer the question as you have answered it?—I should be obliged to consider many other subjects and make many other inquiries before I answered it.

6370. *Chairman*.] Have you considered those circumstances or made those inquiries before you answered the question?—No, I have not.

6371. Sir *R. H. Inglis*.] You look at the works and their intrinsic merit, and from the use which they have been to yourself, and the use which you believe them to have been to other literary and other legal inquirers, and from the knowledge which you have that they could not be undertaken as a commercial and profitable speculation by any bookseller, you regard such expenditure undertaken at the public expense to have been justifiable?—Yes.

6372. Dr. *Bowring*.] Do I understand you that that opinion is given without any reference to the sum of public money that has been applied?—Yes.

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6373. If you were told that they had cost a million sterling?—I should say that that was a very large sum, and perhaps too large.

6374. If they had cost half a million of money, should you say it was justifiable?—The information they contain is so valuable that a very large expense was justifiable.

6375. Sir *Robert H. Inglis.*] In the questions recently addressed to you, you might perhaps be led to assume that the cost of the volumes which have issued from the press under the authority of the Record Commission have been at the lowest half a million; are you aware what has been the total expense of the commission, including all the other expenses, as well as the expense of publications only?—I am not at all acquainted with the expense.

6376. Are you aware that in Sir Harris Nicolas's Observations on Historical Literature, page 192, it is stated that the printing, binding and stationery in England, from 1801 to March 1827, has been the sum of 101,719 *l.* 16 *s.* 5 *d.*?—I was not aware of it till you read it, not having perused that work of Sir Harris Nicolas.

6377. Dr. *Bowring.*] Supposing you knew the fact, that for 35 years, a sum never less than 10,000 *l.* a year, and often 20,000 *l.*, had been applied by the public for the publication of those records, and for the expenses of the commission, should you state as a general result that what had been done was satisfactory to you?—I am perfectly sensible that a vast deal of trouble must have been taken, and expense gone into, for the arrangement, examination and printing of those records; and if a great number of copies have been printed, I should not think the expense is too much. Many gentlemen at the Russell Institution, professional gentlemen and others, have been in the occasional examination of them, so that their utility has been general since they have been with us.

6378. *Chairman.*] For what purposes have they examined them?—They have been chiefly referred to by gentlemen of the legal profession.

6379. Did they find what they wanted in them?—That I cannot answer.

6380. *Chairman.*] Did Mr. Cole lend you a work having a title-page bearing the designation of "Selections from the Miscellaneous Records in the Exchequer"?—No. Mr. Cole never lent me any publication.

6381. Have you not quoted such a work in your book?—Yes.

6382. How came you to have such a work?—It was lent to me by Mr. Cooper.

6383. With that title-page?—If it is quoted with that title-page, it is so. I never received any work from Mr. Cole; he was extremely kind when I was making reference to the papers in his office; and I felt myself much indebted to him as well as to Mr. Cooper.

6384. The quotation is this, in the 95th page of your work on the "Ancient Palace and late Houses of Parliament at Westminster," in a note: "See 'Mem. de Jacolibus a Garderoba R. surreptis,' in 'Selections from the Miscellaneous Records,' recently printed by the Record Commissioners;" that is the work of which I was speaking?—That is a work that Mr. Cooper was so good as to lend me.

John Herman Merivale, Esq.; called in, and further Examined.

J. H. Merivale, Esq.

6385. *Chairman.*] HAVE you any statement to make to the Committee respecting the subjects on which you were examined on a former day?—The Committee will indulge me with a short explanation in correction of some mistakes that I involuntarily fell into on that occasion. The first error which I am anxious to correct, and into which I was inadvertently led by reliance on distant recollection, was as to the use supposed to be made by Mr. Hallam in his History of the Middle Ages of the publications of the Record Commission. I find that Mr. Hallam's work was published so long back as 1818, when comparatively few of these works had issued from the press; some unquestionably had issued, as for instance, the Harleian and Cottonian Indexes, and others which were begun, but few, comparatively speaking. [*A statement of the periods of the publication of the different works issued under the authority of the Record Commission was read to the Witness.*] They are considerably more in number than I had conceived.

6386. As far as you are acquainted with the works of Mr. Hallam, has Mr. Hallam in any edition of any one of his works referred by name to any one of the publications of the Record Commission?—I apprehend his references to the

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Fœdera and to the Statutes, and also to the Parliament Rolls, must be taken to be references to the early editions; at least I am not aware that they are references to the editions under the commission. With regard to the other works published by the commission, I am not aware that he has made any references to them whatever. There was another mistake into which I fell, in supposing that Mr. Hallam had treated upon the independence of the Crown of Scotland. I apprehend this subject formed no part of his researches. I had confounded my recollection of Mr. Hallam's work with the work of Sir Francis Palgrave, in which that question is entered into, and illustrated very copiously, by extracts from the ancient chronicles.

6387. But those ancient chronicles were not published by the Record Commission?—No; I was going to add, I am not aware that any reference is made in Sir Francis Palgrave's works to the publications of the Record Commission; upon that question, therefore, I was in error both ways; but the references to the chronicles are quite enough in my mind to prove the paramount utility of the English records to illustrate and verify the chronicles; and I apprehend that the same point would be still more clearly shown by the writings of Mr. Allen on that subject, which I have not been able to refer to, and therefore merely suggest the probability of it. There is, however, another subject which I meant to refer to when I fell into the mistakes above mentioned, viz. the History of the English Parliament, which Mr. Hallam has treated with great ability and attention, and here it is that, without specifically referring to the works of the Record Commission, he has made very copious references to those very records (for instance, the Close and Patent Rolls), which have been since published more accurately and in a more complete form by the Record Commission, but which Mr. Hallam appears to have consulted only through the medium of Prynne's collections, which collections, as is familiar to the Committee, laborious as they are, cannot be compared in point of accuracy with the publications of the Record Commission.

6388. Then even in this case Mr. Hallam has not made any use of the publications of the Record Commission?—I apprehend not; looking through the volumes, they appear to be references to Mr. Prynne's collection, and not to the collection of the Record Commission, but very numerous references are made to the Close Rolls, which I am happy to find has been one of the later publications of the present commission, and very important documents they are. There is another point of history to which I adverted, as one of those on which I imagined that light might have been thrown by the publications of the commission; that (namely) which forms the principal subject of Walpole's well-known "Historic Doubts," and the particular instance to which I meant to allude was the reference which is there made to the existence of a writ with the "teste me ipso" at Westminster, which he cites as evidence of King Richard being absolutely at Westminster on a particular day, and from thence, if admitted as evidence, would have followed the impossibility of the commission of the murder of the two princes in the Tower, according to the common story; an inference, however, which is itself negatived by a closer and better acquaintance with the nature of the records, from which it appears that ever since the time of the Court of Chancery being fixed at Westminster, the circumstance of any writ being tested by the King at Westminster, is no evidence of the King's personal presence there.

6389. From which of the publications of the Record Commission has that information been derived?—This is a species of information which I apprehend could only be collected by a habit of frequent reference to, and comparison of, different records.

6390. Has that information, so material, been obtained from the works of the Record Commission?—The information negativing that particular inference is, I believe, due to the researches of Dr. Lingard; but I find that the very same circumstance is alluded to in more than one of the recent publications of the Record Commission, in which it is stated as now clearly established that the circumstance of the "teste me ipso" is no proof of the actual presence of the sovereign in any writ of more recent date than the reign of Edward the Third. Since my last examination I have had an opportunity of reference to several recent works of the Record Commission, of which I am ashamed to say I was wholly ignorant at the time of my former examination, which, it will be remembered, had reference principally to the period when I was best acquainted with the state of those publications, namely, several years ago. I find that the publications of the present Record Commission have been very numerous, and I also find that they are, in my opinion,

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very greatly improved in point of form by the general adoption of the octavo form in substitution for the folio, the folio being still adhered to only with respect to those publications that had been previously commenced, or other publications *ejusdem generis*, such as the publication of the Close Rolls I have before referred to. I should add further, that I observe a very superior degree of practical utility in the selection of those works, as far as I have had an opportunity of looking into their contents: all of those recently published are superior in point of importance to those formerly published, and I should have no doubt that this great superiority is principally to be ascribed to the long experience of those engaged in the superintendence and publication of them.

6391. When were you last examined here?—This day se'ennight, I believe.

6392. It was not till last Monday that it occurred to you ever to look into the works of the present commission?—It was not till since last Monday, I am ashamed to say, that I have ever looked into them.

6393. The general utility of those works in promoting an ardent desire for historical learning did not extend to yourself till last Monday, inasmuch as you had no curiosity to look into them?—I should say, with all due submission, that would not be a fair inference. It has been not so much want of curiosity as of occasion; and the circumstance that I have been engaged in very different occupations, may afford some justification of ignorance, without any impeachment of my sense of their utility or importance.

6394. Their extraordinary benefit had not been so impressed upon you that you had any curiosity to look into them till Monday last?—I must beg to refer the Committee to what I have said at the beginning of my former examination as to the motive which induced me first to look into them, a motive which has long since ceased to exist, and the immediate impulse has been consequently withdrawn.

6395. By your references to Lingard and other writers, it appears your curiosity respecting historical subjects has not been totally extinguished since that period?—Unquestionably not, I have always entertained a strong fondness for historical literature, but the gratification of that fondness has been confined to reading, and has not extended to investigation; at all events, not to the investigation of that portion of history on which the publication of the records is calculated to throw light.

6396. That fondness has never found its food in the works of the Record Commission?—I have not the smallest hesitation in saying, that if I were now engaged as an historical writer on any subject of English history, connected with the period to which the records extend, the knowledge I now possess of the works of the Record Commission would induce me to make frequent and constant reference to them, and also to make myself infinitely better acquainted with their contents than I now am.

6397. But as a general student of history, not engaged in any particular work, you do not refer to them?—As a public servant, my time has been so occupied, that I have comparatively little opportunity for the indulgence of my own peculiar taste and bias; neither am I in possession of any of these works, because my house is not a large one, and it would be difficult to find room in my library for them; and every one knows that the facility of reference to most of our public libraries is very much curtailed after the hours of business are over. I have further to observe as to the more recent publications, that I remarked in them a greater degree of critical excellence in the prefaces and illustrations that have accompanied them, and also that this material difference has taken place in the mode of publication, that in many instances the publication has been extended to that of the entire rolls, instead of mere calendars or indexes. The publication of the Close Rolls already referred to, together with that of the rolls of the Curia Regis, and the proceedings and ordinances of the Privy Council, are among those more recent publications, which I conceive of the greatest importance, and as being more valuable for the purposes of historical reference than any perhaps of those that had been previously published.

Mr. *Thomas Macdonald*, called in; and Examined.

Mr. T. Macdonald

6398. Sir *Robert H. Inglis.*] YOU have a large share in the superintendence of the King's printers' office?—Yes, I have.

6399. During what length of time have you been employed in that office?—About 33 years.

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6400. Have you a general knowledge of the business of the office?—Yes.

6401. Have you had particularly under your cognizance the works carried on under the superintendence of the Commissioners of Public Records?—Yes, I have.

6402. Can you state the amount of money received by the King's printer for printing those works, between the year 1800 and 1830; that is to say, between the date of the first commission and that of the existing commission?—I have referred to a paper, and I find about 113,000 *l.* has been received by the King's printer, from 1800 to 1830; and of that 113,000 *l.* I find that less than one half is for printing and paper, supplied by the King's printer; the remainder being for binding and other things, done by other persons.

6403. Can you state to the Committee what was the expense of printing and paper for the Taxatio Ecclesiastica?—About 1,079 *l.*

6404. When was that finished?—In 1802, I think.

6405. Can you give similar information with respect to the Rotulorum Originalium?—About 929 *l.*

6406. In what year was that finished?—1805.

6407. Was it published in that year?—I think it was published in that year.

6408. Can you state to the Committee what was the charge per sheet?—No; my attention has not been called to that.

6409. Dr. *Bowring.*] Then how can you estimate the charge for the work?—I have merely furnished myself with a memorandum of the amount of the bills for the work done.

6410. Sir *Robert H. Inglis.*] Can you give a similar answer for the Placitorum Abbrevatio?—About 1,514 *l.*

6411. Dr. *Bowring.*] Has there been an average charge for printing, without reference to the corrections?—No; the charge varies according to the merits of the work.

6412. *Chairman.*] To what part of the expenditure can you speak; the printing and binding?—The printing, not the binding; the binding forms no part of the return given in.

6413. Dr. *Bowring.*] Can you speak to the charge per ream for paper?—No, I cannot.

6414. Sir *Robert H. Inglis.*] Can you give any similar information to the Committee as to the Statutes of the Realm, and the other works of the commission?—The Statutes of the Realm; the 2d volume cost 1,809 *l.* for printing and paper.

6415. When was that printed?—It was begun in 1811 and finished in 1816.

6416. When was the 4th volume of the Valor Ecclesiasticus published?—In 1821.

6417. What was the amount of paper and printing for that?—£. 1,165.

6418. When was the first part of the 3d volume of the Fœdera published?—In 1825.

6419. How much did that cost in paper and in printing?—£. 1,450. 11 *s.*

6420. Do you recollect the Parliamentary Writs, edited by Sir Francis Palgrave?—Yes.

6421. In what year was the first volume of that work published?—1830.

6422. What was the amount of the paper and printing of that work?—£. 1,544.

6423. Do the charges which you have just mentioned include corrections?—No.

6424. Have the corrections generally been numerous?—Yes, generally, they have.

6425. Do you ever meet with works, either original or compiled, which go through the press without numerous corrections?—I do not think I ever did.

6426. Dr. *Bowring.*] I never heard of corrections not forming part of a printing account. Do you mean that to this printing account the cost of correction is to be added?—Yes.

6427. Sir *Robert H. Inglis.*] The amount of correction is to be added to all those sums you have given to the Committee?—Yes.

6428. Can you state to the Committee what has been the aggregate expense, including the corrections, of all those works to which your attention has been called in the preceding questions?—I cannot at the present moment.

6429. Dr. *Bowring.*] Can you give the component parts of any one sum you have stated; can you state as to any one work the cost of printing, the cost of correction, and the cost of paper per ream?—I am not prepared with that at present.

6430. Will

6430. Will you furnish the Committee with respect to any one of those works with the cost in detail?—Yes, if the Committee wish it, certainly.

6431. *Chairman.*] When you talk of "numerous corrections," do you mean as numerous as those made in these works?—I was not aware that the word "numerous" was used; I do not mean that; I meant that I hardly knew of any work, either original or compiled, that had gone through the press without correction.

6432. You do not mean to have it understood that you knew of no work that had gone through the press with as numerous corrections?—No.

6433. Dr. *Bowring.*] Is the fair copy that is supplied to the printer in as good a state as copy generally is that is sent to printers?—It is very various in that respect.

6434. Has it generally come to you in a satisfactory shape?—Perhaps I might say generally.

6435. Have not the corrections been greater than in ordinary cases?—Those works that have come clearer to us have generally gone out with less correction.

6436. Will you state the proportion of the cost of correction to the cost of printing?—I should think generally not less than one-sixth, and in some instances one-third, and even as high as one-half.

6437. Sir *Robert H. Inglis.*] Do you compare works in a foreign language, with the type contracted, with those works which you may have printed in the English language, and in type not contracted?—No, the comparison would not bear.

6438. You would expect to find more corrections in a work in a foreign language, and in a type with contractions, than in works in the English language, and in the ordinary type?—Certainly.

6439. Do you find, making allowance for the foreign language and the contractions in the type, that the errors requiring correction in the works issuing from the press under the authority of the Record Commission are more numerous than you find in ordinary works?—Not more, certainly, by any means.

6440. *Chairman.*] What works are you speaking of?—I have thought of several; Mr. Gough's edition of Camden, and Mr. Nichols's History of Leicestershire.

6441. Do you mean to say that the corrections in the works of the Record Commission have not been greater than in those works?—From my recollection of the late Mr. Nichols, the father of the present Mr. Nichols, in writing his History of Leicestershire, his corrections were ten to one compared to any one of the works of the Record Commission.

6442. That is, that larger corrections were made?—Yes, and he himself a printer.

6443. Dr. *Bowring.*] In cases where the contractions were very many, should you not think 50 per cent. a very heavy charge, although it was in a foreign language, and the orthography was irregular, if the copy was fair?—It is generally found when gentlemen go to examine the print with the original, they find that the copy is not so fair, but that there are a number of corrupt readings and inaccuracies that require revising.

6444. Should you not say that those should be altered in the copy, and not in the proof?—That would diminish the correction in type, but it would increase the expense of editing.

6445. *Chairman.*] In the case of Mr. Nichols's publication, the corrections were not of mistakes originally made, but alterations which Mr. Nichols, the author, chose to make in revising the proof?—I would not attribute to him that they were blunders; I am speaking of the amount of corrections made in that work, in his own writing.

6446. Dr. *Bowring.*] They were changes in the progress of the work?—A large proportion of them, no doubt.

6447. That is very different from printing from a manuscript; they were changes of the text?—Very probably.

6448. Sir *Robert H. Inglis.*] Changes also in the records quoted, in the epitaphs, and generally speaking, in the mass of materials constituting county history?—Yes.

6449. *Chairman.*] Can you state distinctly, as the last answer would lead one to suppose that the corrections were of that nature, in quotations from epitaphs and other matters of that kind, in which it was the duty of the author merely to compare what had been written by somebody else, or were they alterations made

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in his own original matter?—Not merely in the original matter, but other alterations in the materials.

6450. And you can say that the corrections in that respect were ten to one compared with the corrections in the works of the Record Commission?—Taking them altogether.

6451. Can you say what proportion the corrections in quotations from other writings bore to the corrections in the works issued by the commissioners?—No, I cannot.

6452. Dr. *Bowring.*] You say that the cost of the corrections was from one-third to a half the cost of printing; do you mean to say that in Mr. Nichols's case the expense for corrections was five times the amount of the original printing?—I was a very young man at the time; but I believe they were.

6453. Sir *Robert H. Inglis.*] In the works which you have mentioned as printed under the authority of the Record Commission, do you happen to know whether the paper was purchased by the King's printer?—Yes, it was.

6454. Can you state how long that practice continued, of the King's printer purchasing the paper?—Throughout.

6455. Can you state whether the King's printer received any profit out of this transaction of purchasing the paper?—No profit; he had a trifling per-centage.

6456. Dr. *Bowring.*] Is not that profit?—No; it was to pay the expenses; insurance and interest of money laid out, &c.

6457. *Chairman.*] What was the trifling per-centage?—Seven-and-a-half per cent. was his usual per-centage.

6458. Why is it trifling if it was usual?—The usual per-centage is 12 or 12½.

6459. Then it was less than the usual per-centage?—Yes.

6460. Sir *Robert H. Inglis.*] Were the works long in hand?—Yes; some of them five or ten years.

6461. Were the King's printer's bills settled at the end of any one year, or at the conclusion of each work?—They were at very distant periods.

6462. Dr. *Bowring.*] The payments were very irregularly made?—Yes; I do not think there was any regular time of payment.

6463. Sir *Robert H. Inglis.*] The payments might be made at distant intervals, and yet be paid regularly; that is to say, if they were made at the conclusion of each particular work?—I believe the bills were made up soon after the finishing the volume; but the payments were made at distant and uncertain periods.

6464. Can you state which works occupied the longest period in publication?—I believe the Placita was the longest; I think that was 10 years under hand.

6465. Did the King's printer receive no payment for that work until its completion?—I believe not.

6466. Dr. *Bowring.*] Was not the printer accustomed to charge interest for delay of payment?—Not on those works. Interest on deferred payments, on some occasions, was charged.

6467. *Chairman.*] Has not the printer charged interest on deferred payments to the present commission?—Not that I know of.

6468. Dr. *Bowring.*] Are you aware that in the accounts which have been settled there has been a charge to the public of between 400 *l.* and 500 *l.* for interest?—Yes; 438 *l.* in 30 years, for the interest upon deferred payments.

6469. Sir *Robert H. Inglis.*] With respect to the cost of printing, are you aware whether any tenders were ever obtained from other printers with respect to printing these works?—I believe at the commencement of the present commission they obtained several tenders.

6470. Did you ever hear that a committee was appointed, consisting of Lord Brougham, the late Lord Dover, and Mr. Bellenden Ker, to inquire whether the printing could not be done more cheaply elsewhere than by the King's printer?—Yes, I have been told so.

6471. Do you know it of your own knowledge?—Mr. Bellenden Ker told me that they had submitted the works to several printers with that view, and they found the King's printer's charge was lower than any price they could obtain elsewhere.

6472. *Chairman.*] Do you know that Mr. Bentley offered to print the works for less?—I never heard of it; he may have said so; but when any price was compared with the King's printer's it was found to be higher.

6473. Sir *Robert H. Inglis.*] And Mr. Ker, one of the committee appointed to investigate the subject, told you that the King's printer's charge was lower than any

any others that had been submitted to them?—Yes; he told me he had mentioned it to Mr. Robert Spottiswoode. After the investigation was over they sent for him, and told him that the King's printer's charge was the lowest.

6474. You are aware that that Committee was appointed with no very favourable view to the King's printer?—I am well aware of that.

6475. Dr. *Bowring.*] Can you mention the largest sum due to the King's printer at any one time?—No, I cannot.

6476. Not within 10,000 *l.*?—I believe it has been somewhere about that amount; I could not state precisely.

6477. Sir *Robert H. Inglis.*] What is the course of examination pursued with respect to the accounts of the King's printer?—They are referred to the Stationery Office, by the order of the board.

6478. Dr. *Bowring.*] That has been the case since 1830?—No, not to the extent of that.

6479. Who audited the King's printer's accounts previously?—The greater part of the time they were certified by Mr. Cox, another printer.

6480. And discharged by the secretary of the commission?—No; by the Treasury.

6481. Sir *Robert H. Inglis.*] Has any change taken place during the present commission, so as to lessen the expense?—The printing at present is more compact, and for that reason much less expensive.

6482. *Chairman.*] When were these bills first submitted to the Stationery Office?—I cannot state how long it is since; it was after an order of the board.

6483. When was it done; do you know?—In the course of the last year.

6484. In December 1835?—Yes, or in the early part of this year.

6485. That is the first time it was done?—Yes.

6486. Dr. *Bowring.*] What are the present prices or the prices of 1835, since they were submitted to the ordeal of the Stationery Office, compared with the prices in 1830?—The same.

6487. In any case where the same type is used, what is the deduction in the prices paid now compared with the price paid by the former commissions?—I do not know of any deduction.

6488. Has any deduction been made by the Stationery Office from the amount of the bills sent in by the King's printer?—In one bill of 3,300 *l.* there is an arbitrary deduction made to the amount of about 30 *l.*; but there is a charge to be made in the next account which will counterbalance it.

6489. Sir *Robert H. Inglis.*] Is it your business to make yourself acquainted with the amount of the bills, and the amount of the deductions, if any, which may be made in respect of such bills?—Yes, they come through my hand.

6490. Therefore the answers which you have given in general have been upon matters within your own cognizance, and which it is your duty to know?—Yes, those of the present period.

6491. Dr. *Bowring.*] Do I understand you to say that the charges made by the King's printer in 1835 are not lower than the charges made in 1800?—I cannot say what they may have been 30 years since.

6492. I will take 1830; do you mean to say that the charge of 1835 is not lower than that of 1830?—I do not know that it is any lower with respect to labour; it may be lower by any reduction in paper, but the labour is the same.

6493. The average charges for printing and composition are not lower than they were under the old commissions?—When the necessary expenses have varied, the charge has varied in proportion; but the same principle of moderate charge has been adopted throughout the whole period of 35 years, leaving no room for anything that can be called deduction. This will appear evident by reference to the result of the inquiries of the commissioners in 1831, when the tenders were received.

Stacey Grimaldi, Esq., F.S.A., called in; and Examined.

6494. Sir *Robert H. Inglis.*] I BELIEVE you have directed much of your attention to the state of the public records?—Yes, I have.

6495. What has been your object in such investigation?—As a solicitor engaged in producing them in courts of law, for the purpose of substantiating claims.

6496. Have you not made extensive use of the publications which have issued under the authority of the Record Commission, in the compilation of your work entitled, "Origines Genealogicæ"?—Yes, I have.

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6497. Will you be pleased to state to the Committee generally the nature and design of that work?—It was to point out to the profession of the law all the records which would assist them in tracing genealogies.

6498. Has your experience shown that these publications are of great use to persons employed in making genealogical and topographical, legal and historical researches?—Certainly.

6499. What volumes in the series, containing entire copies of records, do you consider as of the most practical use and importance?—The Valor Ecclesiasticus; I will not omit Doomsday, though the two first volumes were not published by the commission; the Taxation of Pope Nicholas; Mr. Hardy's late volumes of the Close and Patent Rolls; and I have frequently produced the Testa de Neville in court. I do not remember any more.

6500. You have, no doubt, had personal access to many of the records themselves?—I have.

6501. Have you been aided in your reference to them by those publications which have issued under the Record Commission, and which are of the nature of calendars or indexes?—I could not have made use of the records without those calendars or indexes.

6502. Will you be pleased to mention some of those that have been specially serviceable to you?—I think the Patent and Charter Rolls are entitled to stand first.

6503. Without the assistance of those publications, could you have made those searches in the public records which the said publications have enabled you to make?—Certainly not.

6504. Would your time as a solicitor have enabled you to do it, in any case whatever?—Impossible.

6505. Would any one private case have justified the expense incurred in researches, unaided by these publications?—No.

6506. Are you record solicitor to any one department of the King's Government?—To the Woods and Forests.

6507. In that capacity have you ever had occasion to examine the works published under the authority of the Record Commission?—Frequently.

6508. In the course of your business?—Yes.

6509. Have you any objection to state any instance in which you have derived assistance to the King's Government from the consultation of these works?—At the last autumn assizes for Liverpool the Crown recovered a large tract of land on the Dee, the title to which was made out from the public records, and which I could only find by the calendars or indexes referring me to them.

6510. Have you any objection to state more particularly the calendars to which you have referred?—The Inquisitiones Post Mortem, I remember were very much made use of.

6511. Generally speaking, do you conceive that the ends of justice have been furthered by these publications?—No doubt of it whatever.

6512. Is it your opinion that those works could ever have been published as a matter of commercial speculation, looking to the present state of archæological literature, by any one bookseller, or any associated booksellers?—Certainly not. I published a small record myself, for the sake of preserving it, thinking there was but one copy in existence, and thinking that the original (which has been since discovered) was lost. I suppose the work cost me about 60 guineas, and I may have sold 12 copies, at some few shillings each copy.

6513. Then if the publication be intrinsically desirable, and could not be undertaken as a matter of private speculation by any booksellers, does not it follow as a matter of course, in your judgment, that the expense ought to be borne by the nation?—It ought; and must be, if done at all.

6514. Do you think that these publications have been, on the whole, of such public utility and interest that it is desirable to continue the series?—Certainly.

6515. As a lawyer, do you, or do you not, think that it is highly desirable to publish the early judicial records entire?—I would rather that the money voted by Parliament were first used in making calendars and indexes.

6516. You consider that the publication of calendars and indexes is a primary object, and ought to be so regarded by the commissioners?—Mine is rather a biassed opinion upon that subject, because my attention has been given to it solely as a lawyer, and therefore I wish that branch of the science to which I dedicate myself to be most benefited.

6517. With

6517. With that reservation which you have just made, will you state to the Committee what is your opinion of the propriety of compiling calendars to the later Placita of the King's Bench, Common Pleas and Exchequer, up to the Union; would their usefulness and importance justify the expense?—That it is very highly important.

6518. Is there any date, say the Revolution or the Restoration, which you would consider as preferable?—I am not able to say that the Placita Rolls of any one date are of more importance than another, because I am at this moment in search of a placita in the reign of Edward the 3d, which is very material in determining a cause.

6519. Have you ever turned your attention to the question as to the expediency of publishing a uniform and authentic edition of the Year Books?—Yes.

6520. Do you consider that such object is one upon which the public money might be advantageously employed?—Not until other works of the commission have been previously performed; but I know the incorrectness of the present printed Year Books, because I had to quote one as authority at the last assizes, and therefore examined the printed copy with two originals which there were of the case in question, and I found it differ.

6521. Is it the inference which you desire the Committee to draw from this answer, that you do or do not consider an accurate and authentic edition of the Year Books to be a justifiable expenditure of the public money, after the compilation of that which you have regarded as specially desirable in the first instance, namely, the calendars and indexes?—I have not thought sufficiently upon that subject to make any other answer than what you have stated would be my impression, that I think there are more important works for the Record Commission to attend to.

6522. Do you think that an uniform and accurate edition of the ancient law books, such as Bracton, Fleta, Glanville and Britton, would be an object worthy the expenditure of the public money, under the public authority?—I am not competent to answer that.

6523. Have the rolls of the Curia Regis, the publication of which has been begun, thrown light upon the history and constitution of England?—It is one of the few record works I have not examined sufficiently to give any opinion upon.

6524. Can you give to this Committee any opinion as to the execution of the works which have been undertaken under the authority of the present or preceding commissions?—The works executed under the authority of the preceding commissions are certainly, in many instances, very indifferently performed, as far as my experience goes. With respect to the works executed under the present Record Commission, they have, with some exceptions, been well performed.

6525. *Chairman.*] Will you state how far that experience extends?—I have had occasion to require office copies of the Patent and Close Rolls which I have found in the late works printed by the Record Commission, and I do not think there is the variation of a letter in any one copy I have had, from the printed editions.

6526. Sir *Robert H. Inglis.*] Do you consider that those works have been conducted by men of historical and archæological learning?—They were admirably performed.

6527. *Chairman.*] They were edited by Mr. Hardy?—I think both of them.

6528. Sir *Robert H. Inglis.*] When you refer to the inaccuracy of the earlier publications, will you state to the Committee what works you have specially in your view?—The calendars of the Patent Rolls; the insufficient information in the earlier volumes, perhaps all the volumes of the calendars of the Inquisitiones Post Mortem, and the mixture of documents there, as some escheats are found among them which ought not to be classed as such.

6529. Have you any remarks to make of the way in which you have been able to inspect records or make notes of them, in the course of your researches in the different record offices?—There is great assistance given at the Tower, at the Chapter House, and the Augmentation Office. At the Rolls the conduct of the gentlemen keeping the records, in enforcing their rules of office, amounts to a denial of justice.

6530. Have you ever made a representation to that effect to the Master of the Rolls, who is understood to have the legal custody of the documents in the Rolls Chapel?—I have not.

6531. In ordinary cases is it not fitting to represent to a superior that conduct in his subordinate officer, which you designate by a term so strong as a denial of justice?—I have had it in contemplation to do so for many years; it is a very unpleasant

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unpleasant thing to make complaints, which must be personal complaints against individuals who show you personal civility.

6532. Does such denial of justice arise, so far as you have formed an opinion, from the amount of fees demanded, from the shortness of time allowed to parties to consult the documents, from the want of the public right to inspect calendars or indexes, or from any other cause?—From those three which you have named; and I shall be happy to amplify a little on your words.

6533. Will you in the first instance direct the attention of the Committee to the amount of fees demanded, and specify in your answer whether such fees are demanded at the private will of the officer, by the authority of the Master of the Rolls, or under any other, and what other sanction?—The first fee to which I will allude is, 1 *s.* per year for a search in the calendars for every name you search for; that is, I believe, under the authority of the court; that is the first I will name, as amounting to so large a sum that in many cases it is impossible for persons to pay it. We will take the instance of a charter which a party wishes to search for; he has no knowledge of the period, even as to several reigns. The parish of Pailton instructed me to make a search for a charter granting them rights of common, but their solicitor could give me no date as to when this charter was granted; it was my intention to have searched the rolls from the time of the dissolution of the monasteries (calculating that it was probable the property was a monastic possession), till I found it. I wrote to the solicitor that I should have to pay 1 *s.* per year, and if he gave me two or three names of parishes, that it would be more; that is, if I searched for three parishes, 3 *s.* per year. I should have had to search, if the occasion required it, through the reigns of Henry the Eighth, Elizabeth and James, and the intermediate reigns; that would have embraced a period of nearly one century, for which I should have to pay nearly 15 *l.* When I informed the solicitor for the parish of this expense, he said his parishioners were too poor to pay it, and they went to trial without the search being made.

6534. Are you aware whether the salaries of the officers are dependent at this moment upon the amount of fees, or whether such fees are carried to a fee-fund?—I believe at the Rolls the fees are the private property of the keeper of the rolls.

6535. Are you aware whether such fees are publicly known to the profession, being stated in the ordinary books of Chancery practice?—I think there can be no secresy upon the subject, but I am not otherwise able to answer.

6536. Are you aware whether other gentlemen engaged as record agents, or in the prosecution of legal researches, have found similar cause of complaint with yourself, and have or have not represented the amount of the fees justifying such cause of complaint, to the Master of the Rolls, or to any other authority?—I do not think that a complaint has been made to the Master of the Rolls, but I think Mr. Devon took counsel's opinion upon some exorbitant demand made upon him at the Rolls, for what is called a parcel copy; and that opinion was in Mr. Devon's favour, and was shown to the clerks in the Rolls Chapel, when they abandoned their demand. Although the public pay to inspect the records, you are not permitted to take out a pencil and put down the most common-place thing which you see in that record, the very search for which, and the knowledge of which, is the only object you have in paying your money; you are on quitting the office obliged to go to the nearest hotel, and to put down that which you have in your memory: my memory has failed once, and I have had to go back and re-recollect, if I could, that which they would not allow me to put down at first.

6537. Are you aware whether the fees demanded at the Rolls, and of which you are making complaint to-day, are fees demanded from professional men only, engaged in professional pursuits, and the expense of which is defrayed by other parties; and are, or are not, demanded of literary men engaged in researches purely literary?—I do not know; but many years since, when I went to make a personal search respecting my own family, the late Mr. Kipling allowed me to do it without any fee.

6538. So far as your own experience goes, when your pursuits were professional, in respect to which you would have to make a charge to another person, your researches were at the usual rate of fees; and when you had yourself to make a search for a matter which might be called personal or literary, you were permitted to make such search without any fee?—Yes.

6539. *Chairman.*] If any such distinction is made in favour of literary inquirers, and against those who want access to these documents to establish their rights in courts of law, do you not think it a most shameful and scandalous caprice that the favour

favour should be granted to literary inquirers, and refused to those who are demanding justice?—I would rather (if you would allow me), as that is matter of opinion, state that which is very strong in my mind, and conveys the same representation that your question would imply, that I think the fees at the Rolls exorbitant and improper.

6540. Does it occur to you that there is any reason for making this distinction in favour of literary men; and if the Government can in any case afford a relaxation of the fees, why they should not make it for the benefit of those who have the misfortune to be engaged in suits at law?—If one party alone were to have favour shown, I think it should be to literary men, who work for honour only, and generally speaking, at a very great personal loss. Litigants have something to gain, and therefore ought, I think, to pay the officers employed in establishing their claims.

6541. Not to pay such exorbitant fees?—Certainly not; it is out of the question.

6542. Sir *Robert H. Inglis.*] Your own experience, as you have reported to the Committee, and your judgment as to the state of archæological literature generally, has enabled you to say that such publications, in respect to which searches are necessary in record offices, are not likely to be very profitable to literary men who engage in them?—Certainly.

6543. They could not bear the extra expense which the enforcing fees for searches would entail upon them?—I think not, in historical literature.

6544. *Chairman.*] Do you think that suitors can bear it?—They do bear it.

6545. Do you not think them exorbitant?—I do; and I should be happy if you would use your influence to get them reduced.

6546. Sir *Robert H. Inglis.*] A litigant has generally something substantial in prospect; whereas a literary man has nothing in view but fame?—Certainly.

6547. *Chairman.*] Suitors cannot avoid going there, but a literary man can; did you ever know a man go to law from choice?—The late Mr. De Tastet did, I understand.

6548. Does a litigant ever go to search for a record at the Rolls, if he can avoid it?—Certainly not.

6549. Do you not think it a very great evil that the suitors are exposed to such fees?—Very great.

6550. The objects authorized by the Record Commissions are, to methodize, regulate and digest the records; to repair such as are decayed; to make exact calendars and indexes thereof, and to print general calendars and indexes of original records; have I not rightly stated them?—I think you have.

6551. Do you not think that the order in which these are placed in the commission, is evidently the proper one in which they should be attended to?—Certainly; but I should think that those which are arranged and repaired, might be calendared before the whole money which is at the disposal of the commissioners was expended in this order.

6552. But you think that is the proper order?—It seems to me the only order.

6553. You think the arrangement, repairing and calendaring, are objects to which the commission should have attended before printing any of the records?—I think so.

6544. Can you state whether, from your experience, the commission has, to the degree that you think proper, made the business of printing subordinate to that of arranging, repairing and calendaring; to that, in fact, of making the contents of the record offices accessible and known to the public?—I would rather have recommended to the commissioners to have arranged and calendared the documents in the Chapter House, than to have printed the one or two volumes that have been printed from documents in the Chapter House.

6555. Can you state generally, with regard to the records, that you think they are in such a state of arrangement, and such information afforded as to their contents, by calendars, as to justify the commission in having expended so much of its funds in printing, as it has done?—I think there are two ways in which my answer must be given: there are a great many records in the Tower in the most perfect order, wanting nothing but calendars; I do not see why those calendars should not be made and printed, either simultaneously or before other records in other repositories are arranged and repaired.

6556. I am not supposing the commissioners ought to have arranged what do not want arranging; but you state it would have been desirable to have provided calendars for these records; have they provided calendars?—Certainly not.

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6557. Are the contents of the office at the Tower, which is without dispute by far the best arranged of all the record offices, accessible to the public by calendars conveying information as to what is contained in them?—No, they are not calendared.

6558. Are not calendars much wanted?—The records are almost useless without.

6559. Then even with regard to the Tower, the very first and most important work the commission have had to do, has not been done?—That is my view.

6560. With regard to the documents in the Rolls Chapel, are they well arranged?—Very well arranged as to the rolls, but very ill arranged as to the great mass of miscellaneous documents.

6561. For instance, the Privy Seals, Signet Bills, the Writs and Summonses?—Yes, certainly, many of them are nearly inaccessible. I wanted to search for one, and the clerk said it was such dirty work it was not fit for any one but a coal-heaver; they would not let me do it, but they said they would put on some dirty clothes after office hours, and that it might take them two or three days, and they would doubtless have to make heavy charges for it.

6562. Are they kept in proper repair in the Rolls Chapel, or does not the dirt permanently injure them?—Of course it does.

6563. Do you know whether the habit of dealing with these records in the way that some of the witnesses have spoken to, at the Rolls Chapel, by cutting them out of the books in which they are bound, and damping and other processes that they carry on for that purpose, has not operated to injure the records?—I have not seen what you allude to.

6564. Are there proper calendars and indexes to all the documents at the Rolls?—I do not know the extent of the private calendars that they have got, and which they call private property; I have perhaps never seen them; but I know there are not public calendars.

6565. So that if you go into the Rolls Chapel to search for a document, there is no calendar that gives you any information as to the object of your search?—Not exactly so: there are some public calenders that give you some information, but not the information you ought to have; there is no index of places.

6566. For inspecting the private calendars you have to pay considerable fees?—I believe they charge five guineas, but it seems very optional; five guineas for one set of calendars, and two guineas, I have heard, if you search in another set.

6567. It would seem, from your account of the Rolls Chapel, that there exists every defect that can exist in a record office: that the documents are ill arrranged, liable to injury from dirt, that their contents are not sufficiently made known to the public by calendars, and that the fees are exorbitant?—We will not put more sins upon their heads than there ought to be: the "Rolls" are not ill arranged, but the miscellaneous documents are, I consider, not arranged at all; the Rolls are admirably arranged.

6568. Sir *Robert H. Inglis*.] When you say that the miscellaneous documents are not arranged at all, do you refer to a late period, or are the Committee to understand that you have not examined them for some time?—The information I am now giving was in consequence of a search or inquiry I made two years and a half ago, or thereabouts.

6569. Are you aware whether since that time the miscellaneous records have been sorted and bound?—I am not.

6570. Can you state to the Committee generally what proportion those miscellaneous documents bear to the records generally in the Rolls Chapel?—Not from my absolute knowledge; but I presume the Rolls are infinitely greater in number than the miscellaneous records.

6571. Can you state to the Committee the locality which those miscellaneous rolls occupy in the Rolls Chapel?—I cannot; I do not know where they are kept.

6572. You do not know whether they are in the lockers in the chapel?—I do not remember where they brought them from when I saw them.

6573. *Chairman*.] With regard to the Chapter-house records, what is the arrangement there; are not by far the greater proportion of the records there wholly unarranged?—I should think so.

6574. And these very valuable records; for instance, the Proceedings of the Star Chamber?—They are unarranged: there is one class of records which have been decreed not to be evidence by our courts; I can say nothing about their value, therefore.

6575. Are

6575. Are they not valuable in an historical point of view?—Yes, very.

6476. Those are quite unarranged?—Yes.

6577. What indexes exist of the documents that are arranged?—There is a series of indexes of the Fines; a small, and I should consider a very imperfect, index to the Placita.

6578. Is the index to the Fines a sufficient index?—I should think it is; you only want the plaintiff and defendant, and the premises; these may be put in one line. There is also an index to some papers or proceedings of the Court of Wards and Liveries.

6579. A good index?—It ought to be, because it is a new one, made, I believe, by Mr. Caley.

6580. You do not know that it is?—I only know that it is large, and seems to be good. I cannot call to mind any other index.

6581. What are the fees at the Chapter House?—I think 8*s.* 4*d.* for each record that you inspect.

6582. Will you state generally whether they are high or moderate?—I should say generally the fees are too large in every office, and it is very nearly a denial of justice. I wanted to look at 50 records for a trial the last assizes; I looked at about 20; and to pay 50 times 8*s.* 4*d.* for a little isolated thing, is too much.

6583. Sir *Robert H. Inglis.*] Are you aware that the fees in the Chapter House go to a fee-fund?—Yes.

6584. *Chairman.*] Still you think it amounts to a denial of justice?—Yes.

6585. Sir *Robert H. Inglis.*] Are you aware what is now doing under Sir Francis Palgrave at the Chapter House?—No, I am not.

6586. To the first questions put to you on the subject of the record offices, you have referred to the Augmentation Office, to the Tower, and Chapter House, as three depositories where great facilities were afforded; with that answer in your recollection, will you state what facilities you found in the Chapter House, in the inquiries which you have had occasion to make?—I am allowed to make extracts from the rolls; and there is a personal assistance shown at those offices which I think is absent from those who are at the Rolls, on account only of endeavouring at the Rolls to get as much fees as possible.

6587. Do you consider that any distinction is to be traced to the circumstance, in the one instance, of its being carried to a fee-fund, and in the other, to the fees being the personal right and the source of livelihood to the gentleman who receives them?—Yes.

6588. *Chairman.*] Are you not aware at the Tower the Government takes half the fees?—Yes.

6589. That does not make a difference there?—They behave at the Tower with a liberality that must bring down the good opinion of every one who speaks about them.

6590. Have you had occasion to search the records of the courts of common law?—Yes.

6591. Do you know where they are kept?—Yes.

6592. Have the kindness to state?—The King's Bench records are kept at the late Master of the Rolls' residence in Chancery-lane.

6593. In a better state of arrangement than the miscellaneous records in the Rolls Chapel?—Yes; because if you name any term, and the year of the King, you can get the record down.

6594. Are there any indexes?—None; they have got at another office an index called the Docket Book, and that may go back to something like shortly subsequent to the Restoration; it is probable that it does. It thus happens: lawyers take in the rolls, and have to pay fees at the King's Bench office, and the clerk enters those fees, and the names of the causes to which the rolls refer, in his book, which is called the Docket Book; but that officer is quite distinct from the person who keeps the rolls; there is no merit to the record keeper.

6595. Is that the only information existing of the contents of the King's Bench records?—To my knowledge.

6596. Do you know the condition of the Exchequer records in the Carlton Ride?—Yes.

6597. Are they kept in a good state of arrangement?—The miscellaneous records are wholly unarranged.

6598. Kept in sacks?—Yes.

6599. Those

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6599. Those miscellaneous records are a large portion of the records of the Exchequer?—I should think so, certainly.

6600. The other records in the Exchequer, the memoranda rolls of the court, where are they kept?—At the Ride, I think.

6601. Well arranged?—I should think so.

6602. With any better index than the dockets?—There is an index to the memoranda, but the correctness of it I cannot speak to; it is published.

6603. Published by an individual?—Yes, Mr. Jones; I do not know how correct it is, or how incorrect.

6604. Sir *Robert H. Inglis.*] Do you mean the two volumes folio?—Yes.

6605. *Chairman.*] The records of the courts of common law, do you apply the same remark to the fees required on looking into them?—I think they are worse: you have to copy the record yourself if it is an old one, and they charge the same as if you had a copy made for you; so that I have to charge my client for half a day or a day for copying a record at the Common Pleas, and the record keepers make me pay the same as if they had copied it themselves.

6606. Sir *Robert H. Inglis.*] You referred to a case which you had, in which you wished to consult 50 records at the Chapter House, and that that consultation would have had to be made at the expense of 8*s.* 4*d.* each: it appears that the aggregate of such charge would have been 20*l.* 16*s.* 8*d.*; would such a sum in a solicitor's bill, in a cause requiring the inspection of 50 records, be so disproportionate a charge as to amount to a denial of justice?—That item is only one: there may be half-a-dozen or ten similar items for similar searches for records; and in some cases, as in the Pailton case, the parishioners had not the 20*l.* among them to pay, and therefore in their case I did not attempt to make the search, and I made them a present of my time. In an important case, as was the case that I was engaged in, and where I searched at the Chapter House, the parties were persons of great affluence, and it was of no consequence to them.

6607. *Chairman.*] But in the case of the Chapter House, you gave up searching on account of the expense?—I did not search for so many as I should wish to have done, not wishing to incur heavy charges.

6608. Sir *Robert H. Inglis.*] Would 20*l.* 16*s.* 8*d.* be a disproportionate charge in a solicitor's ordinary bill, in a suit that required the inspection of 50 records; in other words, does it appear to you that it is such a charge as you could not ordinarily justify in any such cause, whatever the office may be in which the record may have been deposited?—The search at the Chapter House is only one search out of many, which every solicitor investigating records for a cause must search; could he make all his searches for 20*l.*, he would be well satisfied to pay it; but if he must go through several offices, and have several perhaps similar charges, it then becomes a very important consideration whether a client will incur the expense.

6609. You have referred to the necessity of examining some 50 records in a single law proceeding, such records being in the Chapter House; is not the examination of 50 records an examination of unusual extent in any law proceeding?—I have never searched at the Chapter House for so many; and in this case I do not suppose I searched more than one-half or two-thirds, on account of the expense; the fees I paid them were about 20 guineas, including copies.

6610. Has the keeper of the Chapter House any interest in the fees or the copies?—I believe none.

6611. You have referred to the state of the records in the Carlton Ride; are you aware whether the bills, answers and depositions, on the equity side of the Exchequer, are well or ill arranged there?—I know there is no difficulty in getting a bill and answer, and deposition, but I do not know exactly where they are kept at the Ride; but when I want one it is immediately produced to me.

6612. Are you aware of the state in which the records of the Court of Common Pleas are kept, in the same building?—I have not examined them since they have been removed from the Mews, but I should entertain no doubt of their being in the order of terms and years.

6613. *Chairman.*] Can you state at all what has been the expense of Sir Francis Palgrave's work upon the Parliamentary Writs?—Only in that general way which I think would be indecorous in me to mention, by public report.

6614. Is not that the most expensive work that the Record Commissioners have undertaken?—Putting the Statutes out of the question, I should say certainly.

6615. Do you not know that in the opinion of lawyers and antiquaries, it is the most

most useless work that the commission have ever published?—That is the opinion that I have always heard expressed, and it is my opinion.

6616. Can you say in what way it can be of any utility?—I have never found it of any utility.

6617. Sir *Robert H. Inglis.*] Have you found it of any utility in the researches to which you have alluded in the answers to questions put to you in the first part of your examination, for your "Origines Genealogicæ"?—I think my book was published before Sir Francis Palgrave's; my book was printed in 1828, and I should think had been written a year before it was printed, in 1827.

6618. Sir Francis's first volume came out about 1827?—I never found any use from it; I may possibly have referred to it.

6619. *Chairman.*] If in investigating the accounts of the commission it should appear that money had been expended on foreign missions for transcripts of Saxon works not relating to records, do you consider this an expenditure justified by the words of the commission, and do you consider it more useful than expending the same amount of money in arranging, repairing, calendaring and indexing our own records?—I do not see how, under the words of the commission, which is printed at the head of the record works, those things you have named to me come under those words.

6620. Are you aware that the Record Commission has a library?—I have heard it so said in common conversation.

6621. You could not point out anything in the commission that justifies the laying out 1,500*l.* for the purchase of a library?—Certainly not.

6622. Are you aware of any use that has been derived to the public from the purchase of this library?—None.

6623. Do you know where it is kept?—No; I am not certain that there is one.

6624. Sir *Robert H. Inglis.*] Is there anything in the commission, which in so many words authorizes the purchase of pens and paper; and do you or do you not consider that the purchase of books may or may not, according to the nature of the books, be as essential for the purposes of the commission as the purchase of stationery, the whole being a question of opinion as to the particular books, or the particular quantity of stationery employed?—It is, of course, a delicate thing for me to presume to give an opinion to the Committee upon. I understood that the question put to me was only as an opinion; I should wish to give it, with very great submission, as merely the opinion of a very private individual.

6625. *Chairman.*] Do you know anything of the works of the commission having been sold as waste paper?—I was informed two or three years since that a very great quantity was sold as waste paper by some bookseller at the corner of a street in a line in or near Cannon-street, and I went to buy them.

6626. What were those works?—I never saw them; I was told that I could not get them. I understood Sir Thomas Phillips bought some, and brought them away in a hackney-coach.

6627. Dr. *Bowring.*] Had they been disposed of previously to your application?—Some had; and they were taken away from the bookseller.

6628. Sir *Robert H. Inglis.*] As a matter of opinion, you have stated, in your own judgment and that of other antiquaries, that the work of Sir Francis Palgrave upon the Parliamentary Writs was of no use: what opportunities have you had of comparing it with the works of Prynne or Willis, or any other antiquaries connected with similar pursuits?—I took the liberty of stating, a few minutes back, I should very much wish my answers to be considered as confined entirely to my profession as a lawyer. I wish my answers with respect to any question, both now and that I have made before, to be considered in a practical legal way; it is on these grounds that I stated I had never found it of any use.

6629. Your answer did not mean to imply that the work, though not useful professionally to you as a solicitor, might not be useful to the general student in historical literature, or in Parliamentary and constitutional history?—Certainly not.

6630. Do you consider that the works of the Record Commission ought to be confined exclusively to benefit professional gentlemen, or might not they be open to the general student?—Certainly, open to the general student and historian.

Thomas Duffus Hardy, Esq., called in; and further Examined.

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6631. *Chairman.*] YOU have heard the statement made by the last witness with regard to the state of the Miscellaneous Records in the Rolls Chapel?—I have.

6632. That answer applied to the state of the records some time back; do you know anything of the present state of those records?—I do. I had occasion to consult them not two months since, having been employed to search the Privy Seals, Signed Bills, and other records of that description, to ascertain whether patents of creation were ever granted to Lords Vaux and Bray, and the want of calendars and indexes obliged me to inspect every document in those bundles during the reign of King Henry the 8th; a search that occupied me a long time; and I found the bundles in question in a most filthy and disgraceful state, fully justifying the description of the last witness.

6633. Has any improvement been made since the period to which the last witness referred as to the arrangement of these documents, or generally as to providing indexes and diminishing fees in that office?—Not the slightest improvement.

William Turton, Esq., called in; and Examined.

W. Turton, Esq.

6634. Sir *Robert H. Inglis.*] YOU are, I believe, connected with some of the Chancery offices?—I am.

6635. With which?—The Six Clerks in Chancery.

6636. Are you acquainted with other offices in Chancery having records?—I am acquainted with the office of the clerk of the Hanaper and the office of the clerk of the Enrolments.

6637. Are not the records in the Chancery offices the most important, with reference to matters which are the subject of litigation, of any in the kingdom?—Yes, by far.

6638. Generally speaking, are the records in those Chancery offices which you have specified in a good state of arrangement?—Very good.

6639. Is there any difficulty in finding any which may be wanted?—None at all; I should like to challenge the experiment.

6640. Are there good and sufficient books of reference to each depository?—There are good indexes.

6641. Do you consider the fees charged for searches to be moderate?—Very moderate.

6642. Are the repositories themselves good?—Yes, very good; very dry and very airy.

6643. Is the building convenient to the profession in point of locality?—It is in Chancery-lane.

6644. Dr. *Bowring.*] What is the remotest date of the records to which you are now referring?—1758.

6645. *Chairman.*] All this good arrangement is owing to the Record Commission?—I believe not.

6646. Who then is it owing to?—The record officers. The Chancery Commissioners came to view the Chancery records; they looked over them, and they were pleased with the arrangement; Lord Devon was one of that commission.

6647. Did the Record Commission come and view it?—No; I wish they would.

6648. You have never had anything to do with that commission?—No; I believe we made returns to them; I hope they will do us the honour to come; they can come at any time from six in the morning till 12 at night; I should be most happy to see them.

6649. Have any changes taken place in consequence of the suggestions of the Record Commission?—No, not any.

6650. You have not seen any of the Record Commissioners at these offices at any time from six in the morning till 12 at night?—No, not at those early hours.

6651. Nor at all?—No, I have not seen them there.

6652. Sir *Robert H. Inglis.*] You were secretary to the late Master of the Rolls, Sir Thomas Plumer?—Yes I was, for many years.

6653. In that character did you ever hear any complaint made of the amount of the fees, the condition of the records, or the want of access which the suitors

or

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or other inquirers experienced with regard to the records at the Rolls Chapel?—Never; Sir Thomas Plumer was the last man that would have countenanced it, and the first man that would have corrected it.

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6654. *Chairman.*] Can you take upon yourself to say, from your own knowledge, that the information given to the Committee, of the bad state of arrangement there, and the high fees charged, is incorrect?—To this extent I can: when Sir Thomas Plumer was appointed Master of the Rolls, (those who knew him knew that he was an anxious man to do his duty) his first duty was, as keeper of the records, to look at them, to see their state and condition; he went into the Rolls Chapel and he observed the condition of the records there, and he was surprised, and I will use the word disgusted, at the condition in which he found them.

6655. What year was this in?—It was in 1818. He found them in a very bad condition; there were no proper rooms; no proper cupboards; and the chapel where duty was performed, was more like a warehouse than a chapel; I hardly know what to call them; the poles that a chicken would have roosted upon, and upon which these records were, went against the wall, which was damp, consequently had rotted the ends of the rolls; when we pulled some of them down, Sir Thomas Plumer was very much surprised to see them in that condition, and he immediately applied to the Government representing the condition of those rolls, but he had much difficulty to get the chapel put into the condition it is now put in. I went over them with him, and proper cupboards and shelves were made, and I believe the condition of the rolls is very different now to what it was then.

6656. You have not pointed out in what respect the evidence given of want of arrangement and indexes, and the amount of the fees, is incorrect?—We then sent to Mr. Kipling, the keeper, and directed that the making of indexes and everything else might be, from that time particularly, if not before, accurately attended to; he was assured that it was, and further, he found that the records were better taken care of and in better condition; but having a responsible officer, he did not further look into the indexes; what they were I cannot pretend to say; it was not my duty to look into them.

The Right Hon. Sir *Lancelot Shadwell*, Vice-Chancellor of England, called in; and Examined.

6657. Sir *Robert H. Inglis.*] IN the Report of the Select Committee of the House of Commons on the State of Public Records, in 1800, it is stated that "the most essential of all the measures for the purpose of laying open to the public a full knowledge of the contents of the various repositories would be to print some of the principal calendars and indexes, and also such of the original records hitherto unpublished as were the most important in their nature and the most perfect in their kind." Has that suggestion the sanction of your Honor's judgment?—I should perfectly agree with it.

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6658. It was also a recommendation of the same Committee, that such of the Year Books as have not been printed should be committed to the press, and that it might be expedient to prepare for the public a uniform edition of all the Year Books, from the reign of Edward 1, to that of Henry 8, with a general index. Does it appear to your Honor that there would result from the execution of this measure any considerable advantage to our knowledge of the history and progress of English jurisprudence?—With respect to the Year Books not printed, I can give no opinion; I do not know what they are; with respect to the Year Books which are printed, the reprinting of them would diffuse a more general knowledge of the English law than people at present possess.

6659. Another suggestion made by the Committee was, that an uniform edition should be prepared of the ancient law-writers, such as Glanville, Britton, Bracton and Fleta; does it appear to your Honor that such a publication, founded on a collation of the best manuscripts, would be a valuable addition to the works already existing illustrative of the early history of the English constitution?—Without a doubt; but I think myself that the value will consist in making the contents of those works more known among antiquarians and historians than among lawyers; I conceive they are at present sufficiently in the hands of lawyers.

6660. Does it appear to your Honor that a knowledge of the Anglo-Saxon laws and the Welsh laws is necessary for the history of the English law?—I should conceive that a knowledge of those laws would tend to throw some light upon

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certain points of English law, but rather as a matter of historical curiosity than anything of value for the knowledge of the law as it is at present.

6661. *Chairman.*] Would not your Honor speak more decidedly upon that point, and say that a knowledge of the Anglo-Saxon laws would have no bearing upon any case that could come before you to be decided, or before any of the courts of law?—I have no conception that any of the Anglo-Saxon laws would tend much to assist in the judicial investigation into any case that now exists; incidentally it might throw some light upon it.

6662. Sir *Robert H. Inglis.*] The question put by me to your Honor had reference, not to the practice in the courts of law or equity, but to the history of the English law as a matter of archæological and constitutional inquiry?—Yes, I think it would have a beneficial effect in that way.

6663. The same Committee, the suggestions of which have been already quoted, recommend the publication of state papers, such as those which form the work called Rymer's Fœdera, but not included in that collection; does it appear to your Honor expedient that this measure should be carried into effect?—I should think so. In the same way as we see Rymer's Fœdera constantly quoted, I should conceive similar works, if made known, would be of considerable utility.

6664. Does it appear to your Honor an expedient measure to print for public use the private Acts of Parliament down to any period, the Revolution or the Restoration, for example?—No, I should think not, and I will tell you at once why I think so: the private Acts, so far as we know those of an ancient date, are in a very loose form, and in the last 30 years there has been so much attention paid to the fabrication of private Acts, everything useful to be known would be known without consulting the earlier Acts.

6665. In the course of your Honor's experience as a barrister or a judge have you had reason to know that the publications by the Record Commission of Pope Nicholas's Taxation, of the Nonæ Rolls, and of the Valor of Henry the Eighth, have been useful to persons engaged in tithe causes?—I cannot answer that question directly, because I am not able to state how far the knowledge of those ancient documents to which you refer has been more diffused by any publications issued under the sanction of the Record Commission; but this I can state, namely, that a knowledge of those documents is exceedingly useful, and is brought into practice constantly, in tithe causes in particular; and though I have not seen the works as printed under the authority of the Record Commission, I have no hesitation in saying that anything that facilitated the knowledge of their contents would be useful.

6666. Has it ever occurred to your Honor to have met with complaints of the want of access to records, or of the difficulty with which searches are made, or of impediments in the way of obtaining copies for ordinary use?—I have heard constantly of the difficulty of ascertaining where the records are; I have known of cases where searches have been desired to be made, and Mr. Caley, a very great antiquarian, has stated the difficulty he has found in ascertaining where certain records were, and other persons as well.

6667. Is it an inference which your Honor would wish the Committee to draw from that answer, that one of the primary objects to be contemplated by the Record Commission ought to be the compilation and publication of calendars and indexes?—Yes, without a doubt.

6668. In your experience have complaints been made regarding the fees in any of the record offices?—I have always heard it stated they were very great, and rather in the way of complaint than eulogy.

6669. If there had been any confusion in the offices, which confusion prevented proper access to the records contained in them, is it likely that this would have become known to your Honor?—It has in fact been made known to me that there has been a great difficulty in ascertaining in particular places which were supposed to contain records where the records were, and after search they have been found. It appears to me that the matter ought so to be contrived, that any person ought to be able to tell, with very little labour, whether a record is or not kept in any depository.

6670. *Chairman.*] Which would be a very desirable improvement upon the present system?—Yes, unless such an improvement has taken place as to remove the difficulty.

6671. Sir *Robert H. Inglis.*] Will you distinguish between ancient and modern records, and state what period you would desire the Committee to understand by modern

modern records, with respect to which any confusion exists?—I think I do not know enough of the matter to be able to distinguish between what you would call ancient and what you would call modern records.

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6672. Is there any confusion with regard to the records during the last century?—I am not enabled to say that there is that confusion which I have understood to prevail with regard to the records at the Rolls, and with respect to the records at the Tower.

6673. Are you aware of any confusion in the bills, answers, depositions and decrees in your Honor's own court?—I conceive there would, of necessity, be a great deal of trouble, because I understand the method of keeping them is this: keeping them arranged up to a certain number of years, and at the end of every 60 or 70 years vast heaps are removed and deposited in places where it is very difficult to find them; that I have understood from the clerks in the Six Clerks' Office.

6674. Does it appear to your Honor that better accommodation for some of the records is necessary than is at present afforded?—I have understood, in a general way, that the accommodation is very imperfect, and that many records are so kept as to be subject to damage, and that there is no convenience for persons who wish to search for them.

6675. Have you turned your attention to the expediency of the erection of one or more buildings which should be constructed with a primary view to the reception of one or more portions of the national records?—No, I have never considered the question. In order to understand that, it is necessary one should be pretty well acquainted with the sort of building in which they are, and whether they could be improved; to which I cannot speak.

6676. Are you aware of the present constitution of the Record Commission; are you aware that it consists of a certain number of Judges and Statesmen?—I am aware of it generally.

6677. And that the instructions of those gentlemen are carried into execution by sub-commissioners and others receiving salaries?—I understand that the general management is vested in men of high distinction and eminence in point of rank and station in life, and that they act gratuitously, and of necessity they employ under them persons who do laborious work, for which they are to be paid.

6678. Does it appear to your Honor that its constitution is well adapted to the attainment of the objects contemplated in the commission?—I can only say that some papers were put into my hands by Mr. Cooper, in which I think there were letters from Mr. Allen and other gentlemen, and there were particular observations made in some of them as to the employment of inspectors and subordinate persons. Now, I know very little of what has been actually done by the subordinate officers acting under the commissioners; but it appeared to me that the right thing would be, to preserve the commissioners as an honorary body, and let them employ subordinate persons, who must be paid for their work.

6679. Do you think that any benefit arises from having the chief officers of the law, for instance the judges, on the commission, and enabling them occasionally to lend their personal assistance in some of the operations of the commission, and also giving to it dignity and weight?—I should think so.

6680. Do you consider it desirable that the directive and the executory duties should or not be united in the same persons?—I should think that they ought to be separate, by which I mean that those who preside, the commissioners themselves, should be the gentlemen to point out what ought to be done, but not themselves the doers of it.

6681. Do you conceive that the great mass of those who are appointed under the commission are persons capable of deciding whether it be expedient to print, for instance the Valor Ecclesiasticus, though they may not be quite competent, either from acquirements or from leisure, to superintend the publication?—Yes; it seems to me that the general question, whether a particular book ought to be more known, will fall peculiarly within the commissioners' judgment; the mode of executing they could not determine upon without consulting, and very much relying upon the judgment of others.

William Turton, Esq. called in; and further Examined.

6682. *Chairman.*] HAVE you anything further to state in explanation of your former evidence?—The Vice-Chancellor has stated there is some difficulty in finding

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finding the records in our office; I would beg to state, that from the year 1758, and I will invite his Honor, and I hope this Committee will do us the honour to inspect our records, and I will put my watch on the table, and I think I can engage to find any record since that date up to the present time in three minutes; in the Enrolment Office for 15 years, and the Hanaper Office, as far as we have them, for suits in Chancery, I engage to find them in three minutes.

6683. *Chairman.*] Do you send indexes of the records in your office to the Tower?—Yes.

6684. You retain copies in the Six-Clerks' Office?—Yes.

6685. Any applicant coming there pays a fee to you for searching the indexes of the documents at the Tower?—I do not know how that is; I have an officer in the room who will answer that question.

6686. Do you know whether by those means double fees are paid?—That I cannot answer now.

John Herman Merivale, Esq. called in; and further Examined.

J. H. Merivale, Esq.

6687. HAVE you anything further to state in explanation of your former evidence?—Without presuming in the slightest degree to question the possibility of a case occurring in which there might be some difficulty, as has been stated by his Honor the Vice-Chancellor in referring to a Chancery record, I only wish to state what I think is due to the office, as having been one of the Chancery Commissioners deputed with Lord Devon and another of the commissioners to inspect the state of the records at the Six-Clerks' Office; and that is, that though I cannot at this distance of time take upon me expressly to affirm that not more than five minutes would be required for the production of any record that might be wanted, yet that the impression upon our minds was that nothing could be more regular or proper than the mode employed for the preservation and arrangement of those of the Chancery records which are deposited in that office. The more early records are (as has been already mentioned) removed successively to the Rolls Chapel and to the Tower.

The Right Honourable Sir *Lancelot Shadwell*, Vice-Chancellor of England, further Examined.

Right Hon. Sir *L. Shadwell.*

6688. Sir *Robert H. Inglis.*] YOUR Honor referred, in the answer which you recently gave, to the early documents at the Six-Clerks' Office?—Yes, I referred to those that were removed from the office.

6689. Has your Honor, as a judge, heard any complaint of the state in which the records in the office have been kept?—None at all; they are modern.

David Drewe, Esq., called in; and Examined.

David Drewe, Esq.

6690. Sir *Robert H. Inglis.*] DID you hear the question which was put to Mr. Turton?—I did.

6691. Will you state to the Committee whether a double fee be paid for searching the copy of the index in the Six-Clerks' Office, the original being in the Tower?—If they come to us we charge for a search, not an inspection; and then we give them a note to take to the Tower, where they may inspect without any trouble; what the charge there is I do not know.

6692. *Chairman.*] Do you not know that at the Tower they have to pay for the search too?—I do not know; we charge them for the search, and then we give them a note with the number to take to the Tower; they may re-index them at the Tower for aught I know; they did formerly.

6693. Then there must have been a fee paid for that?—Yes; if they are taken down and re-indexed the fee is only 1 *s.* for a year.

Mercurii, 29° die Junii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Charles Lemon.
Dr. Bowring.	Sir Robert Inglis.
Right Hon. C. W. Williams Wynn.	Mr. Villiers.
Mr. Pusey.	

MR. CHARLES BULLER, IN THE CHAIR.

George Frederick Beltz, Esq., Lancaster Herald, called in; and Examined.

G. F. Beltz, Esq.
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6694. Sir *Robert Inglis.*] YOU are a member of the Corporation of the College of Arms?—I am.

6695. Your time has therefore been, in a great measure, directed to genealogical inquiries?—Certainly.

6696. The publications of the Record Commission are in the library of your college, are they not?—Yes.

6697. Have you had frequent occasion to consult them for genealogical purposes?—Yes.

6698. For the direct purpose of your own profession, which of those publications are the most useful?—I consider them to be all, more or less, useful for that purpose; but, if I were desired to particularize any volumes, I should say that the Calendars of Inquisitions, both English and Scotch, are most generally referred to.

6699. Do you discover in those calendars any special deficiency which you would desire to see remedied?—Certainly, in regard to the calendar of references to the English Inquisitions, if it had stated also the heirs of the deceased, it would have been more useful; and also if it had distinguished inquisitiones post mortem from inquisitions as to dower, enfeoffments, &c.

6700. Are you aware that the present commission has directed the preparation of a Calendarium Hæredum?—Yes.

6701. Do you consider that such a calendar is desirable, and would indeed prove an essential addition to the value of the works?—Yes, as supplying one of the principal deficiencies now complained of.

6702. Has not the commission afforded ample materials for tracing the descent of families, by the publication of the Pipe Rolls, Concords, Fine Rolls, Close Rolls, Patent Rolls and Pleadings?—They are all highly important for the purpose of genealogical inquiries.

6703. The information contained in them is, in your judgment, very important to your own profession, and to gentlemen engaged in similar pursuits?—Undoubtedly.

6704. From your knowledge of the state of the literature which is connected with those subjects, do you consider such publications could have issued from the press without the aid of Government?—Certainly not from any private source, with any hope of indemnity for the expense.

6705. Do you know enough of the state of the market, in that department of literature, to know that such publications, if intrinsically valuable, could nevertheless not appear with any hope of profit, if undertaken at the expense of private booksellers, or of associated booksellers?—They certainly could not.

6706. The last question has had reference to certain publications which have issued from the press under the authority of the existing board; are you sufficiently acquainted with the works under the former commissions to enable you to state to the Committee your opinion, whether they (particularly the more voluminous of those works) are such as could have been undertaken, in like manner, as a private speculation by individual booksellers, or associated booksellers, with any prospect of pecuniary remuneration?—I think they could not have been undertaken with any chance of the same success, as far as regards the information imparted, or any hope from loss, or indeed that they could have been published, except under the authority and at the cost of Government.

 6707. Generally

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6707. Generally speaking, your opinion is, that the works are useful in themselves, yet are not of a nature which a private speculation could have furnished?—Certainly.

6708. Comparing the works which have issued from the press, under the authority of former commissions, and under the authority of the present commission, can you state whether, in your judgment, the works under the present board are more or less creditable, as to usefulness and accuracy, than the works of the preceding boards?—I should think they are more creditable in both respects.

6709. *Chairman.*] I thought you said just now, the most useful works of the commission were the calendars?—That the Calendars of Inquisitions were, according to my opinion, the most useful to persons engaged in pursuits similar to mine.

6710. They were the works of the old commission?—Under the old commission; but they are faulty.

6711. But still they are the most useful works, in your own experience?—Perhaps they are more generally referred to by us.

6712. Dr. *Bowring.*] Is the library in which you deposit those works accessible to the public?—Certainly.

6713. *Chairman.*] What, that anybody may go in and read them?—Any literary person is permitted to make what extracts he chooses, under proper superintendence.

6714. Sir *Robert Inglis.*] Have you used any of the volumes for the purpose of general history?—I have, particularly for biography.

6715. Using the term, "general history," in the larger sense, contradistinguished from those pursuits connected with private families, in which your own office is directly engaged?—Genealogical researches are very much interwoven with those for general history. A historian ought to be a good genealogist, and to be acquainted with, and able to avail himself of, the public records, for the purpose of any work on history which may occupy his attention.

6716. Will you be so good as to state the nature of your own historical researches?—I have been engaged in many researches of that nature, and particularly, for several years, in collecting materials for a new history of the Order of the Garter.

6717. Is it a continuation of Ashmole and Anstis, or an original work from the first institution of the order?—From the first institution, and on a different plan from those of Anstis and Ashmole.

6718. What volumes have been most useful to you for this purpose?—It is difficult to particularize, where all have been useful; but I would again beg leave to refer to the Calendars of Inquisitions as a principal source of information for the biography of the knights.

6719. Dr. *Bowring.*] With a view to your own research, have you generally been satisfied with their accuracy?—No, certainly not, for I have frequently found the references to be erroneous on inspecting the records themselves.

6720. *Chairman.*] The Calendars are the most useful works the Record Commission has published, but even they are defective?—They are certainly so, with a view to my particular pursuits.

6721. Dr. *Bowring.*] You have found they have been inaccurately edited on reference to the original records?—In many cases the record referred to is not to be found.

6722. But in cases where you had to compare the publication of the record with the record itself, have you been satisfied with the accuracy?—I refer chiefly to the finding or not finding the record in its proper depository at the Tower; and then, frequently, when I have consulted the record according to the reference as amongst the Inquisitiones Post Mortem, I have found it not to be of that description of record, but one of a different character.

6723. You are not satisfied with the arrangement of the publication through which you have obtained access to the original document?—Certainly not with the existing publication, which would be essentially improved by a supplementary work such as that now in contemplation, the "Calendarium Hæredum."

6724. Sir *Robert Inglis.*] From the importance of the works to which you have referred, do you consider such imperfection of such a nature, and to such an extent, as would render the publication useless to the profession and yourself?—No, certainly

tainly not; not useless, though capable of considerable improvement by the means suggested.

6725. One improvement to which you have referred is the compilation of a Calendarium Hæredum?—Yes.

6726. And you have stated such improvement is, so far as you have reason to believe, actually in preparation under the direction of the present board?—I have understood so.

6727. Mr. *Buller.*] What reason have you to believe that?—I have heard it mentioned frequently. I have not seen any part of that publication.

6728. Do you know who is entrusted with the publication?—I understood some gentleman in the Record Office at the Tower; Mr. Hardy, probably; but I do not know precisely who is charged with the work.

6729. You do not know what progress he has made in it?—I do not know positively, never having seen any part of it.

6730. Sir *Robert Inglis.*] Are you acquainted with the new edition of the Fœdera, begun under the old commission, the publication of which was suspended by order of the present commission?—I have had frequent occasion to refer to that work.

6731. Are you prepared to state to the Committee any opinion as to the accuracy of the execution of that work?—I remember to have found some discrepancies between it and the record in the course of my researches.

6732. Dr. *Bowring.*] Even with reference to the latter edition?—Certainly, where the mistake of the original edition had not been corrected.

6733. Sir *Robert Inglis.*] Under all the circumstances, do you consider the existing commission has exercised a sound judgment in suspending the publication of that work?—I think so.

6734. Under the same circumstances, do you think it expedient to resume that work with any improvements in its details, and with a stricter regard to accuracy, on the plan hitherto adopted; or, on the other hand, to resume an intention at one time entertained, and perhaps in part contemplated by the House of Commons in 1801, of printing only a supplement in continuation?—A supplement to and continuation of the original work by Rymer would be most desirable.

6735. It is well known that you have been sent officially to foreign countries on business connected with your profession?—Yes.

6736. Has such experience so obtained on your part, or obtained by you in any other character, enabled you to state to the Committee that valuable materials for a continuation of Rymer exist in foreign countries?—Certainly; I have found many such valuable materials interspersed in foreign libraries, which, I think, might with great utility form part of such supplementary work.

6737. Is it your opinion that they ought to be transcribed in order to complete Rymer's Fœdera as a great national work?—I think it would be highly proper and useful, and becoming an enlightened nation so to do.

6738. Can you make any other remarks for the information of this Committee, or any useful suggestions for the adoption of the commissioners?—I think a Calendar of the Inquisitions at the Rolls Chapel would be a very useful work, and would submit the expediency of editing such a calendar, embracing the Inquisitions from the commencement of the reign of Henry the 7th down to their cessation in that of Charles the 1st.

6739. Such calendar to include the heirs?—Yes, and the date of the death of the defunct, with the dates of any settlements or wills recited in the finding of the jurors.

6740. Are the records in your own college of arms well arranged, and sufficiently provided with indices, or calendars?—Generally speaking they are; and we have a person or persons almost constantly employed at our own expense in completing our indices; but those who are acquainted with the records, and have had much experience there, scarcely require more than the index to each volume, knowing very well to what books to refer.

6741. Dr. *Bowring.*] Is the number of records in your college considerable?—Rather considerable.

6742. Are there many of very ancient date?—Yes.

6743. What is the earliest?—Our records, meaning the records of office, are not earlier than Henry the Seventh; but we have works containing very large collections from the public records, chartularies of monasteries, and other muniments, of a much earlier date.

6744. Have you any indices which enable you to refer, with facility, to such records

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records as you possess?—Yes, we have an index to almost every work; but we have been for some time past, and are now preparing others on a better and more accessible scale than formerly.

6745. Do you not think such indices, with a view to the knowledge of all record offices, an object of primary importance?—Most certainly.

6746. Do you not think that is the principal object to be accomplished, first to obtain a thorough knowledge of the contents of all offices?—I think it would be desirable.

6747. Sir *Robert Inglis.*] Are your collections accessible to the public, and if so, on the payment of what fees, or is it gratuitously?—I think I observed before, that from literary men we never claim any fees for their searches. The ordinary fee for a cursory search at the Herald's Office, is 5*s.*, which probably may occupy an hour, or even longer, in some cases, whilst in others it may take only a few minutes to answer the question propounded.

6748. Those searches which are made for professional purposes in the pursuit of rights, which may or not be productive of pecuniary benefit to the party, are subject to a fee; but those researches which are made by literary men for literary purposes, such as for topographical and other literary works, are subject to no fee, but are allowed to be made gratuitously under proper superintendence?—Yes, during the office hours.

6749. Dr. *Bowring.*] Be so good as to state to the Committee what is the improved plan of indices which you are adopting in your office?—The bringing a variety of other indices under one head.

6750. Is it chronologically?—No, alphabetically; by names and matter.

Edward Lawes, Esq., Serjeant-at-law, called in; and Examined.

E. Lawes, Esq.

6751. Sir *Robert Inglis.*] THE Committee understand you are now officially cognizant of the records in the New Court of Bankruptcy?—I am Registrar to that court.

6752. Has due provision been made for the custody of those records?—I think so.

6753. Are those records in good condition?—I think they are.

6754. Are they accessible to the public?—They are.

6755. Do you consider any interference has been necessary on the part of the commissioners on the public records, in order to obtain this due custody and easy access?—I should think not; the court is of recent establishment.

6756. No charge of neglect can lie against the commissioners for not having interfered with the records, or superintending their state, if such superintendence had not been given in the case of your office?—I think certainly not.

6757. Dr. *Bowring.*] Has the office been visited at all by the commissioners?—I am not aware that it has. It is only of recent establishment; in 1832.

6758. Is the number of records considerable?—They increase every day.

6759. Are any of them ancient?—No, none of them.

6760. *Chairman.*] Your court has been established four years?—Yes.

6761. It has not been very much overburdened with work during that time?—Certainly not.

6762. The few records that you have, have not yet fallen into disorder?—Certainly not.

6763. Are they in a good state of arrangement?—Yes.

6764. They are in a perfectly satisfactory state?—Yes. I do not think there would be the least difficulty in getting any document without any delay.

6765. Dr. *Bowring.*] Is there an index in which they are alphabetically arranged?—There are two offices at which they are kept, partly at one and partly at the other; at one office in Quality-court a clerk is in the care of them; he has books applicable to those at the other office in Basinghall-street in the city, where the commissioners' courts are kept; there are no less than six courts at which the papers are divided into different cares, each court having a deputy registrar, having the care of the records of his court.

6766. How many documents are in your individual custody?—A vast number.

6767. Can you mention how many?—I cannot. If we call an affidavit a document, which I must imply, some thousands certainly.

H. J. Stephen, Esq., Serjeant-at-Law, called in; and Examined.

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6768. Sir *Robert Inglis.*] ONE of the recommendations of the Committee on Public Records in 1800, though not yet executed, was the publishing of an accurate and uniform edition of Ancient Law Books, such as Bracton, Glanville and Fleta; do you consider the publication of an uniform and correct, and accurate edition of such works, from the most authentic sources, as desirable?—I think it highly desirable.

6769. Another work recommended is a complete and authentic edition of the Year Books, some of which are not edited; do you think such an undertaking would be serviceable in promoting the knowledge of the ancient jurisprudence of England?—I think it would be of the greatest service in facilitating the study of the law, and also for the purpose of reference in the practice of the law.

6770. Are you acquainted with the editions of the Statutes of England and the Acts of Parliament of Scotland which have been published under the authority of the Record Commission?—I am not.

6771. Are you sufficiently acquainted with their extent, as to enable you to state whether such works could or could not have been undertaken by individuals with any hope of pecuniary remuneration?—I am quite sure that works of that description could not be undertaken by individuals with any hope of adequate remuneration, or indeed of any remuneration after the payment of the expenses.

6772. Do you consider that the publication of such works as those to which your attention was first directed, as being contemplated, but not executed, and the other works to which in the last question your attention was directed, namely, the publication of the Statutes of England, and the Acts of Parliament of Scotland, assuming them to be intrinsically valuable, could have been undertaken under any other than a Government sanction and at a public expense?—I feel quite clear they could not, and that the objects contemplated by those undertakings are great national objects.

6773. Do you think that a knowledge of the Anglo-Saxon laws and the ancient Welch laws is needful for the perfect understanding of the ancient history of the laws of England?—I think some importance may attach in that point of view to the publication of the Anglo-Saxon laws. We have, however, a publication of them.

6774. Do you conceive that a complete and accurate edition of the Anglo-Saxon laws would still be desirable, and worthy the outlay of the public money?—I believe the best present edition is of Wilkins. I am not aware how far it is important that there should be a more accurate or ample publication of the Anglo-Saxon laws. With respect to the Anglo-Norman laws, their importance is very much more considerable in reference to the present law of England and the history of the English law.

6775. Are you acquainted with those publications of the Record Commission which relate to the value of ecclesiastical property?—Not particularly. I am acquainted with the publication of the former Record Commission, called Placitorum Abbreviatio, which I consider a highly useful and important publication. I have derived benefit from it in a work which some years ago I offered to the public.

6776. Are you acquainted with the Rolls of the Curia Regis?—I have seen publications from those rolls.

6777. Are you able to state to the Committee any opinion of the value of such a publication?—I think publications from the records of the Curia Regis and other early records of the court at Westminster, of great value. It would be important that there should be a further publication of such of those records as were contemporaneous with the works of Bracton, Britton and Fleta, and the earlier Year Books. A more correct and full edition of the Year Books is a thing very particularly required, in my opinion, and an object of high importance.

6778. For what purpose?—For the purpose of illustrating the early history of our law, and for the purpose of reference and citation in the courts, and it would also be a very instructive work for the student.

6779. *Chairman*] Do you think the students in law would read the old authors?—I think they ought.

9785. Do you think they read those which are published now?—I think it rarely happens that a man shall have read the Year Books through.

6781. But they refer to them?—They are very frequently referred to in the courts at the present day, with all the disadvantage that arises from their being very difficult to decipher and interpret. If there were a better edition of the Year Books,

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such as might be read with more facility, undoubtedly the references to them would be more frequent and would be more beneficial.

6782. Sir *Robert Inglis.*] With this opinion, you consider that the execution of the intention to which reference has been made, of printing a correct and uniform edition of the Year Books, would be an object entitled to the attention of Government, or those who administer the funds of Government in this department?—Yes.

6783. *Chairman.*] Of the barristers and other professional men in London, how many in the course of a year do you think would look into them; do you think ten would?—I think that every person who is in the habit of advising on cases, or arguing cases, would have occasion frequently to consult the Year Books.

6784. Do you think that as those unpublished Year Books are not quoted in the common law books, any considerable number of lawyers would take the trouble of looking into them to find the law contained in them?—I think if those not now published were published, such reference would be had to them as is now had to the printed books.

6785. Those printed ones have the advantage of being accessible to the public by references in treatises of law?—Not merely so; you would refer to the Year Books not only where there is a reference to them in other early law books, but you would refer to them generally as you do to any digest of the law to discover some case or decision apposite to that which you have to consider.

6786. No reference being afforded by any books in customary use among the profession, a lawyer who wanted to make use of that information in those old Year Books, would have to read them through; do you think ten lawyers would do that?—Certainly not, if he had to read them through; that difficulty is removed by a correct and copious index.

6787. Dr. *Bowring.*] How often from the bench or bar have you heard reference to the Year Books to decide points of legal controversy?—I have had frequent occasion to refer to them, and I never yet found such citation unattended to.

6788. Did you ever hear a judge refer to the Year Books as an authority for a legal decision?—Very frequently.

6789. Mr. *Pusey.*] Do you not suppose, if more of the Year Books were published, reference would be made to those newly-published Year Books in works on law?—Yes, I do indeed, in course of time.

6790. References would be made to them?—Yes.

6791. Sir *Robert Inglis.*] Are you aware of the publications of the Calendars which have issued from the press, under the authority of the Record Commission?—I have a very superficial knowledge of them.

6792. Do you think the publication of the Calendars generally, by facilitating access to the records in the cases of persons residing at a distance, has been very serviceable to the profession in particular, but generally to the topographical student, and perhaps even to the general historical student?—I do.

6793. Is it expedient to continue, under public authority, the publication of the Calendars, Indexes, and such other works as those which have occupied the attention of the past and present Commission?—Yes; generally, as to the publications of the Record Commission, as far as I have had an opportunity of seeing them, I consider them to be valuable and important publications, and the public money bestowed on them to have been well bestowed.

6794. Dr. *Bowring.*] Is there not rather a growing opinion, that the introduction of new cases and decisions rather tends to a complication than a simplification of the common law?—Perhaps there may be an opinion that there are too many modern reports; but the question is attended with some difficulty. If you have no code, you must refer to reported cases.

6795. But might not 1,000 new cases introduce 500 new difficulties?—I think that a more correct edition, a more accessible edition, and an edition more easily interpreted, of the Year Books, would be more likely to clear up difficulties than to occasion them.

6796. *Chairman.*] Why should you reprint the Year Books with the public money, any more than Croke's Reports, or any old reports?—Because Croke's Reports, and all the early reports of about the same period, from Henry the 8th and Elizabeth downwards, are printed in a form that makes the matter of them usually accessible and intelligible; they are not printed in black letter, nor with abbreviations, as is the case with reference to the Year Books.

6797. Dr. *Bowring.*] The importance of the decision of a court is very much increased by its adjacency to modern times, is it not?—It is so in reference to points

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of some description; but if you refer to the points of the ancient law, then perhaps a citation in the Year Books becomes of more force than a citation from a book of later date.

6798. *Chairman.*] Let us consider this question with a view to the usefulness of these works to the profession; is not a modern law book, a report of decisions in the present century or the last century, quoted one hundred times for once that these old books are quoted?—They are no doubt quoted much more frequently than older books are.

6799. Are there not very imperfect reports of those decisions on which, in a great measure, the present commercial law is founded, for instance, the decisions of Lord Mansfield?—I am not aware that the reports in the time of Lord Mansfield are particularly defective.

6800. We have no complete collection of reports of all his decisions, have we?—No; but many reports of value and authority, in the time of Lord Mansfield, we have.

6801. But there is no complete one?—I am not aware that there is.

6802. Would not the decisions of a court of justice, in the present day, be more likely to be affected by the decisions of Lord Mansfield at that time, than by decisions contained in these old Year Books?—I should say, in reference to a point of ancient law, there can be no authority more satisfactory than the Year Books.

6803. But take the law that turns up every day?—Certainly, as to commercial law, the Year Books would throw no light whatever on it.

6804. Taking the average of cases, would not one of those unreported decisions of Lord Mansfield be used one hundred times for one of the old ones?—Yes, I think it would.

6805. Do you not know that in the libraries of the Inns of Court there exist reports which, in all probability, contain many of these decisions, manuscript reports?—I am not aware of that fact; if it be so, I think the publication of them would be important.

6806. Would it be useful for Government to publish all unpublished reports whatever?—I think it would be useful to publish all correct reports of the time of Lord Mansfield, he having been a very eminent judge.

6807. Sir *Robert Inglis.*] Do you consider such a publication (which, in your answer, you have not said is to be or is not to be at the expense of Government), would be of a nature likely to remunerate an individual law-bookseller for the publication; I allude to the judgments of Lord Mansfield, assuming that they are quoted far more frequently than the Year Books?—Yes, I think that would be much more likely to remunerate a private bookseller, and very likely would. We have instances of publication by private editors of works of that description; they occur every day.

6808. *Chairman.*] The reason why these would pay a bookseller is, that lawyers would purchase them?—Yes; for the points involved are of more frequent occurrence.

6809. The only reason why the others would not pay would be, lawyers would not purchase them?—Yes.

6810. Lawyers would not purchase them, simply because they would not be so useful to them?—Yes.

6811. You would not print those which would be of the least utility to the profession?—Certainly, they are works which would be of less utility to the general practitioner than works of a later date. Nevertheless, they are works to which he has occasionally need to refer; and unless such works are published by Government, or at the public expense, it is not likely they will be published at all; indeed it is certain they will not.

6812. Dr. *Bowring.*] Would not the object of publication be rather to gratify the curiosity of the legal historical student than to form new elements of decision in courts of law?—I think it would tend to both results. Such publications would afford materials that would be interesting to the student, and which would be of advantage to him in the study of the law. In the next place, such publications would afford the means of useful citation in argument; they would also supply materials to the antiquarian, and to the legal historian. It is only necessary to look into Reeve's History of the English Law, which is a very well known book, to see how materials of that kind are capable of being applied for the illustration of the law, and of our early history. I understand that publications of our earlier law writers are carried on at this moment in Germany. The value of these publi-

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cations is there felt, though it is not their own law which they are publishing, but such works are published, I conceive, as illustrative remotely of their own earlier law. I speak only by report, but I have heard there are German publications of Glanville, Bracton, and others of that class. I have seen a publication of Houard's (a Frenchman) of the same description; he thought it worth his while to publish uniform editions of Glanville, The Mirror, and Littleton.

6813. Sir *Robert Inglis.*] If such works can be published as a private speculation in France or on the Continent generally, is there any reason why that could not be undertaken as a matter of mercantile speculation in England?—I am not aware on what terms they were published in France.

6814. In naming an individual as the editor, you did not mean the Committee to understand that those were printed at the expense of that editor?—No.

6815. *Chairman.*] You do not feel a doubt as to this, that they were not printed at the expense of the French government?—I have never heard they were.

6816. You have no reason to suppose so?—No.

6817. Then it would appear in those countries in which notoriously there is much greater curiosity about the study of law and the philosophy of jurisprudence in general, that these works are printed for the general use; if they could not be printed here with a profit to the bookseller, would it not arise from the less want of curiosity in England, and that those subjects are infinitely more interesting to us in a national point of view?—It must arise from the greater expense of publication, or from the market being more limited. But whether Mr. Houard found it worth his while, or whether he was repaid, I cannot state; he may have been a great loser; I only know that a Frenchman thought it worth his while, for the illustration of the law of his country, to publish those works.

6818. You think an Englishman would not think it worth his while?—An Englishman would not think it worth his while to bring them out at his own expense; whether the Frenchman did I cannot say.

6819. Your evidence does not seem to be full on the subject; all we can collect from it is, that there appears much less desire in England to read these books than in France and Germany?—I cannot undertake to state what the inference ought to be; I only intended to state the fact.

6820. Dr. *Bowring.*] Are you aware of the fact, that many men have obtained considerable preferment in consequence of works on the history of the law; was it not Schlegel who published an early Scandinavian law of Copenhagen?—I am not aware.

6821. Sir *Robert Inglis.*] In your answer, have you referred to larger works as reprinted on the Continent, such as Bracton, or to the smaller works, such as Glanville?—The publication of Houard, to which I have referred, I think comprises four quarto volumes. Bracton is omitted. I do not recollect that any of the other early principal writers are.

6822. The publication of Houard, to which you refer, was about a century ago, was it not?—It was a long time ago.

6823. Was the study of this particular species of legal literature, to which this examination has had relation, more or less general at that time than at present, do you suppose?—I should think it was more general at that time.

6824. Dr. *Bowring.*] That would show that the importance of historical law has diminished?—It would show it has diminished in France.

6825. Sir *Robert Inglis.*] On a general survey of the question, do you or not consider that the works to which your attention was called in the first questions put to you in your examination, namely, whether correct and uniform editions, first of the Year Books, secondly of the ancient law works, would be intrinsically valuable, yet commercially unprofitable if undertaken by a private bookseller?—I am of that opinion.

6826. With that opinion, do you consider that the publication, if undertaken by the Record Commissioners, would or not be creditable to their discretion?—I think it would be creditable to their discretion; such a publication of course the Committee will recollect was recommended by Lord Glenbervie when he was keeper of the library of Lincoln's-inn, and there is a return by him to the Commissioners of Records to that effect; it is printed in the Appendix to their Second Report.

6827. Dr. *Bowring.*] Is it your opinion, with reference to the vast treasures under the control of the Record Commission, the publication of the Year Books is the most important service they could render to the legal profession?—I do not feel competent to answer that question. I am apprised principally of the value of the Year

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Year Books in consequence of the nature of my professional opportunities. There may be other records which to antiquarians and historians would be of greater value.

6828. *Chairman.*] You would wish to have the Year Books reprinted; that is, you would like them?—Yes.

6829. Without the abbreviations, and in common text?—Yes.

6830. And you would consult them?—Certainly.

6831. You do not know how many others would?—As many as were employed to give opinions or to argue on points of law, would consult them.

6832. Frequently?—Yes, frequently.

6833. So that it would be a material service to every lawyer that answers cases in London?—It would be important to every practising lawyer that the Year Books should be published.

6834. And that the Year Books would be referred to by them about as often as they refer to the published Year Books now?—I think more frequent recurrence would be made than now to the published Year Books, in consequence of the great difficulty of deciphering or interpreting the Year Books, which often prevents a lawyer who is in haste from making that use of the materials he could otherwise do.

6835. You cannot say, comparing the Year Books with other publications that might be undertaken by the Record Commission, whether they should be undertaken first?—I cannot say that. I confine my answer to those materials that have an important bearing on the science of the law. With respect to materials of that description perhaps I am competent to give an opinion, and I should say that the publication of the Year Books would be the most important thing to which they could turn their attention, connecting it with the republication also of the earlier law writers. I think the publication should also comprise the other materials in Anglo-Norman law. I think the Grand Coustumier of Normandy might very properly form part of the publication, and perhaps it should commence with the Assizes de Jerusalem, which is the earliest book to which reference can be made on the subject of Anglo-Norman law. Our English law is Anglo-Norman in its basis; to understand it thoroughly, you should well explore the Anglo-Norman sources.

6836. Your view would comprehend the publication of many works of which the Record Commission does not take cognizance?—I am not aware whether such a publication as the Grand Coustumier would or would not fall within their province.

6837. Sir *Robert Inglis.*] You gave your answer to the general advantage of this publication, by whatever authority it might be conducted, still feeling that it could not be undertaken as a commercial speculation by a private individual?—Yes.

6838. Dr. *Bowring.*] The Year Books published were undertaken as a private speculation?—I am not aware how that was. They were reported, as is generally supposed, by paid official reporters. At whose expense or in what manner they were published I am not quite aware.

6839. *Chairman.*] They were not given away?—I presume not.

6840. At least you do not know?—No.

6841. Dr. *Bowring.*] Did you ever hear that the public money had been applied to them?—The earliest of them were published by Maynard, but I do not know enough of the history of their publication to enable me to give any information on this subject.

C. P. Cooper, Esq., called in; and further Examined.

C. P. Cooper, Esq.

6842. *Chairman.* [*Having read the Resolution*, "That Mr. Cooper be called in and requested to state to the Committee on what points he desires the witnesses should be examined."] HAVING heard the Resolution of the Committee, will you have the goodness to state to the Committee the information which it desires?—I beg, in answer to that question, to state that that must depend on the instructions I may receive from His Majesty's Commissioners on Public Records.

6843. Have you hitherto been acting on such instructions?—I have not been acting upon the instructions of the commissioners as a board, but upon the instructions that I have received from individual commissioners.

6844. The commission, then, having been, as before stated, before the Committee in some measure put on its defence, has taken no steps about conducting

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that defence?—The understanding of the commission is, that the secretary should in reference to the proceedings of this Committee, be in communication with those commissioners who are best acquainted with its affairs.

6845. What members of the commission were present at the meeting in which that understanding was come to, delegating their authority to you and a certain number of their body in that manner?—I do not recollect all their names. It was, I think, at the first meeting that took place after this Committee was appointed, when the attention of the commissioners was of course drawn to this Committee. It was the board at which it was suggested that an application should be made to the Committee that copies of the evidence should be transmitted to the commissioners.

6846. Is there any resolution?—There is no resolution.

6847. How are the Committee to understand you arrived at a knowledge of the understanding of the commissioners?—I understood from The Speaker, who was the chairman of that board, that the secretary was to be in constant communication with Mr. Williams Wynn, Sir Robert Inglis, Mr. Allen, and other members of the commission, as to the course that ought to be taken in regard to the proceedings of this Committee. It seemed to be the opinion of The Speaker that there was no necessity from time to time to summon a board, and take its instructions upon these matters. I do not conceive that there was any delegation of authority to the secretary.

6848. The Right Hon. *C. W. Williams Wynn.*] Was not this stated to you by The Speaker in the presence of several members of the commission?—Yes, of several members of the commission.

6849. Was there a full board?—Yes, a very full board.

6850. *Chairman.*] Was it stated, and did you take it to be understood by the whole body, that you were only to consult particular commissioners as to the course you were to pursue?—Decidedly so.

6851. Who were those commissioners?—Those who might be the most easy of access.

6852. So that it was left to you in that vague way?—Yes, I might consult one or all.

6853. Whom have you consulted?—Principally Mr. Williams Wynn, Sir Robert Inglis, Mr. Allen, Mr. Hallam, Mr. Petit and Lord Brougham. I have occasionally consulted some other members of the board. I consulted Mr. Justice Bosanquet and Mr. Baron Parke as to the expediency of examining some of the judges and eminent counsel upon certain points connected with the pending inquiry.

6854. Sir Robert Inglis and Mr. Wynn are members of this Committee?—Yes.

6855. Have you consulted them about all the witnesses you propose to have examined?—I think I furnished Sir Robert Inglis with the names of almost all the witnesses who have been examined within the last two days.

6856. Did you furnish him with any reasons for their being called, previous to giving their names?—I have not furnished him with the reasons for calling each individual witness, but I have stated to Sir Robert Inglis generally the points to which certain classes of witnesses would be examined.

6857. Do you mean to state to the Committee now, that you cannot give any answer to the question which has been put to you, as to what point you desire the witnesses should be examined, without consulting some other commissioners besides those present?—No; all that I mean is, that I have declined, under all the circumstances, to take on myself the responsibility of calling witnesses, without having previously communicated with some of the commissioners.

6858. Now we have a list before us, on which, I suppose, you have communicated with some of the commissioners?—I have.

6859. For what purpose is Mr. Danvers to be called?—He is keeper of the records in one of the principal record offices of the metropolis, and in which the operation of arranging, repairing and binding the records was for some time carried on.

6860. Dr. *Bowring.*] Do you know whether the management of that record office, of which Mr. Danvers has the charge, has, in any way, been impugned by any evidence before the Committee?—The evidence must be judged of by the commissioners, and not by me. My individual opinion is, that the conduct of the commissioners has been impugned, with reference to all the offices.

6861. But with reference to that particular office, has the conduct of the commissioners been impugned?—I cannot undertake to say without looking at the evidence.

evidence. I was examined on the subject of the records in that office, but at this moment I neither recollect the questions nor the answers.

6862. You have been present at every examination, have you not?—No, certainly not.

6863. We do not propose to call this witness to satisfy the Committee as to the state of documents in the Duchy of Lancaster Office; it is at your request he is to be called; for what purpose do you wish him to be called?—I do not wish him to be called.

6864. But those particular commissioners under whose instructions you have been acting?—I apprehend that the commissioners wish Mr. Danvers to be called, for the purpose of showing that, in reference to that office, the board has performed its duty.

6865. Is he the head of the office?—He is.

6866. *Chairman.*] Now Mr. Tyrrell, the city remembrancer?—He is, as I am told, a gentleman conversant with the publications of the board, and I apprehend it to be the desire of the commissioners to call him, in order to show the value and utility of such publications.

6867. Which publications do you speak of?—I cannot say without referring to my memoranda, or to the questions which I have here intended for the examination of Mr. Tyrrell; those questions will show the nature of his evidence; they are not very long.

6868. State the most specific one, that points most particularly to the peculiar nature of the information of Mr. Tyrrell, as distinguished from other witnesses?—I do not say that the information to be derived from Mr. Tyrrell will be so distinguished.

[*The Witness read the questions.*]

6869. Now Mr. Thomson?—He is librarian of the London Institution.

6870. What is he to speak to?—He is asked, "Whether he considers the publications of the Record Commission useful to historical, topographical and genealogical inquiries; whether they are not indispensable to historians and antiquarians; which of them he considers of primary importance?" and other questions of that general nature. He is also asked special questions with regard to certain publications, such as the new edition of the Fœdera.

6871. What evidence is he to give about that; is it merely a general opinion?—No; as to the plan to be adopted in the further prosecution of that work.

6872. That is to say, you are calling witnesses to recommend to the Committee a plan to be adopted by the commission with regard to a work?—No, I do not call the witness; I protest against that expression: the object of the commissioners in calling Mr. Thomson, I take it to be, is, to show that they, who, as you just now said, are on their trial, have exercised a sound discretion in suspending the work, the new edition of the Fœdera.

6873. Dr. *Bowring.*] You say you do not call the witnesses; have you not prepared the questions on which they are to be examined?—No, it was quite impossible for me to prepare them.

6874. *Chairman.*] Now Mr. Thomas Wright, a gentleman from the French Record Commission?—I thought Mr. Pusey, from the questions he had asked, might be desirous of learning some further particulars respecting the proceedings of the French Record Commission, and the money granted by the French Chambers for that service.

6875. I should be glad to have him if he can give the information; how long has he been the agent?—I was applied to by M. Guizot in last November or December, to know whether Mr. Wright was a person qualified to be appointed agent for the French Record Commission here in London.

6876. What is he?—I think he is a bachelor of arts of Trinity College, Cambridge.

6877. Is he in any profession?—I believe not; he is engaged in literary pursuits.

6878. What are his labours in the French Record Commission?—I have heard he has been principally engaged in transcribing Anglo-Norman pieces.

6879. Now G. Gunthorp, of the First Fruits' Office?—That is not one of the principal record offices, but it contains some very important ecclesiastical records.

6880. Is he chief of it?—Yes, he is.

6881. Is he to contradict any evidence that has been given before?—He is called

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to show the state of the office; I understood the Committee had visited that office.

6882. Where is the First Fruits' Office?—Nearly opposite the portico of the Temple Church; I never was there but once.

6883. Then there is J. Sherwood?—A great deal of trouble would, in my apprehension, be saved to the Committee should it be conceded that it was not requisite for the commissioners to carry on operations in any of the minor record offices; in that case it would not be necessary to call many of the witnesses who have attended here to-day.

6884. Now the Common Pleas Record Office, and the King's Bench Record Office, and the King's Bench Office; you have three witnesses for those; are they all offices in which the records are in the immediate custody of the judges?—Witnesses from those offices, it has been suggested, should be called in consequence of what has been assumed in the early questions put to me by the Chairman, namely, that it was the duty of the commissioners to extend their inquiries to offices of that kind, and if necessary to arrange and repair the records in them. It will be recollected that at first I suggested the doubt, whether it was the intention of the Government, in issuing this commission, that the commissioners should turn their attention to offices in which are preserved the modern records of the courts.

6885. You have stated in addition, that the records in those offices, from which you had received returns, were such as to induce you to believe nothing was wanting?—Yes.

6886. Are you aware if there has been any contradictory evidence?—The commissioners, not having seen all the evidence, are in a little difficulty as to that point. One might infer, from the questions I have heard put, that there had been some such evidence.

6887. Do you know whether there has been any?—I know nothing of the evidence after No. 13; I have only seen 13 days' evidence, and the commissioners have seen no more; Nos. 14 and 15 were sent to me yesterday.

6888. Other witnesses were summoned to-day; where is the list of them?—Sir Robert Inglis did not return the list to me, I was therefore doubtful who were coming, and who were not coming; it would be wholly unnecessary to have summoned those witnesses, provided the point I have mentioned were conceded; that is to say, if the Committee would state that it is satisfied on that point.

6889. There is Mr. Foxton from the King's Remembrancer's Office?—He is a witness the Committee ought to examine; he had the custody of the records in the Lord Treasurer's Remembrancer's Office, which has been lately suppressed.

6890. Can he give any information that we need have at present?—If the Committee are satisfied respecting the records in that office, if there is no charge made against the commissioners in reference to those records, it will not be necessary to examine Mr. Foxton.

6891. The question is, if he will give us any evidence that will remove any opinions we may have as to that office?—I do not know what evidence has been adduced; but I should think the Committee would be better satisfied with the result of its inquiry, on the subject of these records after summoning the person who has had the custody of those records, instead of receiving information second-hand.

6892. There is Mr. Fearnside, of the Land Revenue Office?—The Committee have had no evidence of any person who has the custody of the records in the Land Revenue Office.

6893. Have we had any at all?—I think so.

6894. There is Mr. Bulley?—He belongs to the Pell Office. Sir John Newport is out of town, and cannot attend.

6895. What has been said about it?—Nothing very favourable was assumed by the questions put to me.

6896. Then there is Charles Roberts?—He is a gentleman in the employ of the board; he is a clerk on the Tower establishment.

6897. To what facts is he to speak?—If the Committee are satisfied that the records in the Tower are in a proper state of arrangement, the only point upon which Mr. Roberts need be examined will be the works which he is engaged in under the authority of the board.

6898. Now Mr. Panton?—He has the custody of the Pipe Rolls.

6899. What has he to say; do you know?—There is a great deal assumed, on the questions that have been put, which is not favourable to the state of the arrangement

arrangement of the Pipe Rolls, though I believe them to be perfectly arranged. There are miscellaneous records of the Pipe Office which are not arranged. Many of the questions point to the bulk of the records in the Pipe Office being in a state of confusion. C. P. Cooper, Esq. 29 June 1836.

6900. Can you tell us any other evidence?—I shall not suggest the name of a single witness. The board will meet at The Speaker's on Saturday, and it will be for the commissioners to give their directions as to the course that ought to be taken with reference to the production of witnesses; the commissioners, however, have only seen the evidence down to No. 13; Nos. 14 and 15 came yesterday, and were forwarded this morning to the different commissioners.

Mr. *Thomas Wright*, called in; and Examined.

6901. *Chairman.*] YOU are employed by the French Government as a correspondent with the Record Commission of France?—Yes. Mr. T. Wright.

6902. What salary have you?—I have none at all; it is quite an honorary appointment.

6903. Do you derive no emoluments then?—None, except for work I do for the commission; anything I do, or get done, I am of course paid for.

6904. You have been six months in the service, have you not?—Five or six months. I have done no work, excepting one transcript from a manuscript in the Museum (it is not quite finished), which will be paid for as manuscripts are paid for in England.

6905. Dr. *Bowring.*] Are you acquainted with the organization of the French commission?—Yes; it almost entirely centres in the Minister of Public Instruction; he appoints the commission, I believe.

6906. What funds were allocated to the commission by the French budget?—120,000 francs a year.

6907. Somewhat less than 5,000 *l.*?—About 4,800 *l.* I understand it is intended to ask for 150,000 this year.

6908. Sir *Robert Inglis.*] You are correspondent to the commission?—Yes.

6909. When was it instituted?—At the beginning of the year 1834, or rather in December 1833.

6910. Was M. Guizot Minister of Public Instruction?—He was.

6911. What are its objects?—To print every document hitherto unedited, and which may be thought of sufficient importance, relating to the history of France.

6912. What works have been published by it?—Already three volumes, one of which is an account of the meeting of the States General at Tours in 1487; the other two volumes are part of the series of a selection of the state papers from one of the public offices, that of the Minister of Foreign Affairs.

6913. What new works are in preparation?—They have in preparation a great number of works. They have series from nearly all the public offices, selections generally; the whole are not printed; several chronicles and some chartularies: the others are generally chance documents, such as private memoirs, or selections from the papers of individuals; as, for instance, former ministers, whose private collections have been deposited in the Royal Library, &c.

6914. To your knowledge are the organs of that commission about to publish records relating to the affairs of France, which have been transcribed from the original archives of England by M. Bréquigny?—Yes, that is one of the series which is contemplated; and also a selection of letters copied from the Tower and Museum, while he was here.

6915. You have stated the amount annually placed at the disposal of the commission by the government of France; to your knowledge is that sum entirely expended in editing of the works in question?—I believe hitherto its expenditure has been in editing or in preparing manuscripts and transcripts, and making arrangements for that purpose.

6916. As contradistinguished from the charge of printing?—I include that; I believe it is expended entirely in printing and editing.

6917. As contradistinguished from any charge arising out of the care or repa ration of the records?—I believe that such work is not included; I believe that under the commission there have been some appointments to the care of libraries, but I believe the pay arises from the libraries themselves; I mean from previously established salaries.

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6918. In what manner are the editors paid?—Under the two heads of editing and transcribing.

6919. Dr. *Bowring.*] Can you state what salary is paid to the individuals more directly appointed by the minister?—I believe no salaries are paid.

6920. Has not M. Thierry a salary under that commission?—I think not; I believe the only persons who have salaries are those who are employed in arranging the manuscripts for selection and transcription.

6921. Has not M. Mignet a salary?—I am not aware of any such salary.

6922. Will you state the course adopted by the Minister of Public Instruction in the publication of any works published on account of the government?—He has generally placed them under the immediate care of a particular individual. If that person, which hitherto has been generally the case, is a member of the committee, he is not paid for his literary labour. No member of the committee is paid for the literary part of the work of editing; others are paid. One instance, which I can cite at present, is that of the Chronicle of Normandy, by Benoît de Saint-More, which M. Michel commenced by transcribing; he was sent hither for that purpose by the minister before the commission itself was instituted, but when he was contemplating its institution; he is now editing that work; he had an engagement of 20 *l.* a month while transcribing it, and he is now paid for editing it.

6923. Has not a good deal of money been expended to assist the research of ambulatory agents visiting parts of France to make researches after the records existing?—Yes, many persons have been sent to different parts.

6924. Has not the primary object of M. Guizot been to collect first perfect indexes of all the records existing in the country?—In some cases. Generally speaking, he has instituted a correspondence with persons who were present at the places where the records existed, who could examine the manuscripts, whether they were keepers or persons who are in the habit of looking at them, and they had no salaries. If they discovered anything, they were invited to communicate directly to the minister himself. But in other cases he has sent a number of agents through the country, and I believe he has paid their expenses while they were on the search. Generally speaking, they have been members of the committee.

6925. Is not M. Buchon sent to Spain, as M. Michel was sent to England?—I am not aware that he is.

6926. Mr. *Pusey.*] Will not the expenditure of 120,000 francs in the way you describe produce a much larger result in France than here?—I should think it certainly ought.

6927. Printing and publishing being much cheaper?—Yes, much cheaper.

6928. Dr. *Bowring.*] The printing has been done by the government establishment?—Yes, always.

6929. The Right Hon. *C. W. Williams Wynn.*] Does not the French government assist in the expense of the publication of other historical works?—Yes, but I am not well informed to how great an extent. I think the general way has been to take a certain number of copies, 50, or something of that kind, and distribute them to different libraries.

6930. Is not the collection by Dom Bouquet carried on partly at the government expense?—At the expense of the Institute; I believe the government aids it.

6931. Dr. *Bowring.*] Is there not an item in the yearly budget to assist the voluntary protection of historical works, by the purchase of a certain number of copies; is that not a plan frequently adopted in France, to engage to take a certain number of copies of those works which have been the result of individual application and enterprize?—I believe that there is.

6932. The Right Hon. *C. W. Williams Wynn.*] Is there not a large collection of ordonnances published by the French government?—Not by the government, but by the Institute; it appears only at long intervals; I do not know if there has been more than a volume published for many years. Like the others, it is aided by the government.

6933. From what does the Institute derive its funds?—I do not know exactly; I believe it is from subscription by the government.

6934. Sir *Robert Inglis.*] Are you aware of M. Michel's visit to England?—Yes.

6935. What was the object?—His primary object was to transcribe a chronicle to be published by the commission as soon as it was instituted. Afterwards he was employed on other objects quite of a literary nature, not historical; and it became rather an indulgence than an employment.

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6936. Will you state what was the manuscript in question, where found, and under what circumstances it has been since published?—It is in the British Museum, the Harleian Manuscript 1,717, a manuscript of the 13th century, of a long chronicle of the Dukes of Normandy up to the time of Stephen, composed by Benoît de Saint-More, a poet who was at the court of Henry the Second. The length of it is about 46,000 lines, and it will make about three volumes quarto of the collection of the French commission; the first volume will be published in November.

6937. Dr. *Bowring.*] Does M. Guizot make an annual report to the king and the Chambers of the proceedings of the historical department?—Always.

6938. He not only makes a report of what they have done for the year, but what they propose to do?—Yes.

6939. So that this species of legislative sanction is in fact obtained before the works are undertaken?—Not in every case before they are undertaken.

6940. The report of the minister is also communicated to a committee of the chamber, is it not; to the bureau, who give a previous sanction before the Chamber itself authorizes the allocation of funds?—I am not well informed of that. I think that the committee decide entirely on publishing the books, and they are often put in the press before they are named in the report.

6941. Are you aware if in the Chamber of Deputies, and in the Chamber of Peers, it is asked to examine the evidence as to the proper application of the funds, even for literary purposes?—I am not aware that it is so. I think not.

Mr. *Charles Roberts*, called in; and Examined.

Mr. *C. Roberts.*

6942. Sir *Robert Inglis.*] YOU are a clerk in the record establishment at the Tower?—I am.

6943. How long have you been there?—About 16 years.

6944. In what state is the general arrangement of the records at the Tower?—An excellent one.

6645. Can you produce at a moment's notice any record that may be wanted for professional or other purposes?—At a few minutes' notice.

6946. Is there much resort of literary men there for the purpose of reference?—A great deal.

6947. Has there been any increase of reference, either for professional or literary purposes, to the records in your office, since the date of the publications which have issued from the press under the Record Commission?—I think for literary purposes it has lately increased; but from some cause or other professional applications there have decreased.

6948. Do the literary men contemplated in your answer repair to the Tower for the purpose of perusing the records for a particular reign, for instance, or is it for the verification of some single facts, or comparison of transcripts with the originals?—Generally for the latter causes that you mention.

6949. Are there suitable accommodations for the convenient use of the records for the purpose of study by literary men there?—Literary men can only peruse or inspect them in the presence of some person connected with the office.

6950. What number of persons may there be who resort to your office for the purpose of literary inquiry, speaking generally?—I cannot say.

6951. Dr. *Bowring.*] Is there any record kept of the number of visitors?—None at all.

6952. Sir *Robert Inglis.*] Do many individuals visit the Tower day by day for the purpose of a continuous perusal of the records?—Persons very frequently come there to make out some particular facts, not for general perusal of the records.

6953. Have you been employed by the Record Commission?—I have.

6954. In what occupation?—First, in preparing a new work from the Inquisitions, which was to be called Calendarium Hæredum, or something of that kind; and secondly, in preparing some volumes of "Excerpta" from the Fine Rolls.

6955. When will the work be finished to which you first called the attention of the Committee?—Not for a very long time.

6956. *Chairman.*] When was it begun?—In the year 1833.

6957. Has it been in your hands all that time?—Yes.

6958. How much of it is done?—Nearly to the end of the reign of Edward 1st; none of it has been printed.

6959. Dr. *Bowring.*] What is the proposed extent of the work?—I first thought

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one large folio volume would contain it, but I am now fully aware that one folio volume will not contain it.

6960. *Chairman.*] How many sheets do you think you have completed by this time?—None of it has been set up in print, and I do not think that I could say how many sheets it would form.

6961. Half a volume?—No.

6962. The 10th part of it?—Perhaps so. The earlier portion of the work would take up a very much smaller space than the latter portion of it.

6963. It is only the earlier you have done; is not this a very slow progress?—Very much so.

6964. To what do you attribute it?—Chiefly that I have been obliged to stop, in order to complete some part of the other work from the Fine Rolls first, which was undertaken to assist me in the compilation of the Calendarium Hæredum.

6965. Is that the only cause?—I could state others why I have not made more progress. Had this class of records been in a better state, I could have made more progress while I was compiling from them.

6966. You mean in a better state of preservation?—Of preservation and of arrangement.

6967. Is there any other cause?—No.

6968. Then it would appear from this, that those records from which you had to make the calendar were not in a good state of preservation, or well arranged?—Many of them want repairing, which I am sometimes obliged to have done before I can proceed with them, and they are so inaccurately arranged in the old calendars, that a great deal of time is lost in putting them to their right place.

6969. Where are they?—In the Tower.

6970. Sir *Robert Inglis.*] Have you not stated, in answer to an early question, that the records generally were in a state of good arrangement?—That is, taking the records generally. The fault of these is in the indexing.

6971. *Chairman.*] Has the Record Commission done anything to repair or arrange those records?—No.

6972. If it had, would it not have assisted your labours?—Certainly.

6973. This work, "Calendarium Hæredum," would be a very useful work, would it not?—I conceive very much so.

6974. It has been mentioned as a very desirable supplement to the former labours of the commission?—It is proposed by it to correct a great many inaccuracies, and supply a great many deficiencies, which are complained of in the old ones.

6975. At the rate at which it is going on, at what time will this valuable work be completed?—If I am to depend merely on my own exertions, it will take several years.

6976. Sir *Robert Inglis.*] Have you ever represented this want of arrangement and repair, either to the gentleman immediately and officially in the charge of the records at the Tower, or to the commissioners?—The keeper of the records is aware of it; I have not stated anything of the sort to the commissioners.

6977. Dr. *Bowring.*] Do you come in contact with the commissioners, or have you any direct means of communication with the commissioners, except through the keeper of the records?—I only have communication with the commissioners when sent for.

6978. On whose suggestion was it you have been engaged on this work, to supply some of the deficiencies in the old publications; by the commissioners; such deficiencies as those which will be supplied by the Calendarium Hæredum, for instance?—I was not employed on this work until I was sent for by Mr. Cooper.

6979. The Right Hon. *C. W. Williams Wynn.*] Are not those the Inquisitions of which the calendars have been published?—There are four folio volumes of indexes to these Inquisitions, published by the old commission.

6980. When were those calendars made, which the old commission published?—I forget exactly when they were made. The last volume was not completed until about 9 or 10 years ago.

6981. Dr. *Bowring.*] Is it a satisfactory calendar?—Very much otherwise; it is a very bad one.

6982. The Right Hon. *C. W. Williams Wynn.*] Do you mean that those Inquisitions which were calendared at the time of that publication, were not also arranged at that time?—I suppose they were printed from the old manuscript calendars in the office without any attention being paid to the originals.

6983. Old

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6983. Old manuscript calendars?—Yes.

6984. What are these?—Manuscript calendars of the Inquisitions.

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6985. Dr. *Bowring.*] You state your belief is, they were printed from the old manuscript calendars?—Yes, and I think without any reference being made to the originals.

6986. Was not a very large sum paid for editing?—I believe so.

T. D. Hardy, Esq., being present, was Examined.

[*Witness produced a Book.*]

T. D. Hardy, Esq.

6987. *Chairman.*] WHAT is this work you have brought?—The Calendar to the Charter Rolls in the Tower.

6988. Published by the commission?—Yes, and supposed to be the most perfect calendar in the office published by the commission.

6989. This is the copy you have for your own private use?—It is the copy used by the office.

6990. The corrections I see here are corrections you have been obliged to make, to make it available for the purpose of the office?—Yes, the whole of the entries in writing were omitted in the printed book; the omissions in the reigns of John and Henry the Third fill several pages; and in the reign of Edward the First they are so numerous that an interleaved copy will not contain them; I am therefore obliged to have a separate book to enter them in.

6991. Dr. *Bowring.*] That is, more are omitted than inserted?—Yes, there are many more omitted than entered.

6992. Right Hon. *C. W. Williams Wynn.*] When was the first calendar made, do you apprehend?—I do not exactly know.

6993. Does it not appear on the face of it?—I think not, but I fancy it was compiled about the reign of Elizabeth.

6994. Not since that time?—Either in that reign or James the First's time.

6995. *Chairman.*] This book was printed by the old commission?—Yes; it professes to be the calendar of Charter Rolls, printed from the calendars preserved in the Record Office, made about the time of James the First.

6996. Do you know the calendar to the Inquisitiones Post Mortem?—I do.

6997. Is that as accurate as this?—It is not so accurate as that of the Charter Roll, and the calendar to Patent Rolls is about ten times worse than either.

6998. These alterations have not been made since the appointment of this Committee?—No, they were commenced by the present keeper some years ago, and are still being continued.

6999. This is what you have been obliged to make for the purpose o rendering the calendar, printed by the commission, available for the every day purposes of the office?—Exactly so. In making searches we are obliged to search through all the additions in this book before we can state that a charter is not enrolled; a person merely looking into the printed calendar would be misled.

7000. The Right Hon. *C. W. Williams Wynn.*] Did there not appear to have been many manuscript alterations, previous to the time of the printing?—My opinion is, that the editor who superintended the printing of that work, never consulted the rolls at all.

7001. But what I mean is, does not the keeper of the rolls appear to have been in the habit, from time to time, of correcting and supplying the inaccuracies of that calendar?—Do you mean the printed or the manuscript calendar?

7002. No, the printed?—In the printed calendar I should say not; those alterations were made by the present keeper, Mr. Petrie.

7003. Were there no corrections made during the time of Mr. Lysons?—None whatever.

7004. With respect to the manuscript, did it appear to have been corrected from time to time, as mistakes were discovered?—No; the manuscripts appear to be in one continuous hand, without any corrections.

7005. *Chairman.*] You have heard of the Calendarium Hæredum?—I have.

7006. The calendar to the Inquisitiones Post Mortem being so inaccurate, will that work, which the commission are now undertaking, be of service?—It will unquestionably supply many of the inaccuracies of the old calendar, and give considerably more information, embracing all the genealogical data contained in the Inquisitiones Post Mortem.

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7007. Do you remember in what year the publications of the Inquisitiones Post Mortem were first undertaken?—In 1802 the order of the board was made.

7008. No, the printing?—About 1806; the last volume appeared about nine or ten years ago; I think in 1827 or 1828. It is perhaps one of the most inaccurate of the whole.

7009. Right Hon. *C. W. Williams Wynn.*] Does not the last volume appear to have been at all collated with the original record?—I think not; the editor was paid for collation, but the numerous errors in it prove it never to have been collated.

7010. Was Mr. Bailey the editor?—He was.

7011. *Chairman* to Mr. *Roberts.*] Have you had occasion to use this calendar?—Frequently.

7012. Have you found the bad effects of the inaccuracies existing in it?—Certainly. It is impossible to do otherwise.

7013. Do you agree with the evidence given by Mr. Hardy, which you have just heard, respecting the inaccuracies?—Perfectly.

7014. Sir *Robert Inglis.*] Does the work of calendaring the records go on actively at the Tower?—By the members of the office; we have no other persons employed.

7015. By the members of the office, it does?—They are employed on it when they are not engaged by persons on professional or historical inquiries, which takes up a very large portion of their time.

7016. Have you formed any estimate of what would be the cost of calendaring the whole mass of records at the Tower?—I have not.

7017. What addition has been made to the calendars since a return was addressed to the commission in 1832?—None, that I am aware of.

7018. *Chairman.*] Have the commissioners made or began any calendars, besides the Calendarium Hæredum they are now making?—No.

7019. Whatever is done in that way has been done by the clerks and keeper?—Yes.

7020. Dr. *Bowring.*] Do you think the "Calendaria Rotulorum" now existing complete, or are additions at this moment being made to those calendars?—To the calendars of other series of rolls great additions must still be made, as the other calendars have not been so fully added to as that volume of the Charter Rolls.

7021. Would it not be of great importance that this calendar should obtain some publicity, corrected as it is?—Yes.

7022. The printed calendar is almost valueless, with reference to the whole collection of documents on the records?—It is of value only as far as it goes.

7023. It would give a very inaccurate idea of the contents of the records, and the number of entries upon them?—Very much so.

7024. It would deny both to the historical and legal inquirer a great portion of information that ought to be communicated to him?—Certainly.

7025. Sir *Robert Inglis.*] Do your objections arise chiefly from defects, or from positive inaccuracies?—Its defects and inaccuracies, I conceive, are the same.

7026. A page might be omitted, that would be a defect; a word might be written wrong, and that would be an inaccuracy; is it accurate as far as it goes?—By no means; the names of persons and places are frequently incorrect.

7027. *Chairman.*] From the last question there might be some misunderstanding; what do you mean?—That there are many inaccuracies.

7028. You think leaving out a word or a letter would be an inaccuracy, would it not?—Yes; or the alteration of a name.

7029. Would not the leaving out a page be a still greater inaccuracy?—Certainly.

7030. Dr. *Bowring.*] How many copies of this very imperfect and defective calendar were printed, 1,500?—I think so; I am not sure of the fact.

7031. The Right Hon. *C. W. Williams Wynn.*] Of the first volume, not the latter volumes?—The Calendar of Charter Rolls? I have understood 1,500 of all the works published at that time was the number printed.

7032. Sir *Robert Inglis.*] And were distributed to the members of both Houses of Parliament?—They were distributed to many public libraries.

7033. *Chairman.*] The calendars to the "Inquisitiones Post Mortem," being so inaccurate as they are described, would it not be necessary, with your Calendarium Hæredum, to publish a list of errata to the former calendar?—When my calendar is published there will still be something wanted; it will supply a great many

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many of the deficiencies of the old calendar, but it will not be in itself a perfect work.

7034. And is not your calendar an indirect way of supplying to the public part of the information which ought to have been supplied by the original calendar if it had been complete; that is the fact, is it not, that your publication of the Calendarium Hæredum, will be a way of supplying the public with a part of that information inaccurately given in the calendars of the Inquisitions?—Partly of that which is inaccurately given, and partly of that which is omitted. I shall also, in the new calendar, place them all in their proper years, a great number being now placed in their wrong years. In the reign of Henry 3d, about 57 are placed in the wrong year, some are in the wrong reign. In the 29 first years of Edward 1st, about 80 are misplaced in the wrong year. The new calendar will then supply all the genealogical information, which is entirely omitted in the old calendars, and it will give information, the want of which has been very much complained of, namely, a memorandum whether they are inquisitiones post mortem, or any other kind of document; for although they are called "Inquisitiones Post Mortem," perhaps not half or a third of them are inquisitiones post mortem.

7035. Dr. *Bowring*.] There are a great many chronological, as well as other defects in the calendars, are there not?—Certainly.

7036. *Chairman*.] Would it not have been a more direct way of supplying the defects of the old calendar to reprint it, or to have had a fresh one made?—Undoubtedly; and I stated to the secretary, when I was first employed, that a perfect work could not be had, except by making a new calendar.

7037. What was the reason assigned for not doing it?—I was told that it could not be done, since that would entirely destroy the utility of the old volumes.

7038. Of the useless volumes?—Useful only as far as they went.

7039. But of volumes that were worse than useless, for they were calculated to deceive?—They were certainly of very little use, except as containing the names of places.

7040. And those were given inaccurately?—Yes, and with great deficiencies.

Mr. *Charles Panton*, called in; and Examined.

Mr. C. Panton.

7041. Sir *Robert Inglis*.] YOU were one of the clerks in the late office of the Clerk of the Pipe?—Yes.

7042. In what state is the series called the Great Roll of the Pipe?—It is in a very good state.

7043. Has it been long in that good state?—Since 1832.

7044. Have the Record Commissioners been instrumental in bringing to light rolls of this series?—Yes.

7045. Have the Record Commissioners been instrumental in the repair and better arrangement of that series?—Yes.

7046. Without such a repair and better arrangement, is there reason to think that some of these records would have been lost?—Yes; they were in a bad situation, and some of them packed in sacks; I found 11 valuable old rolls, three or four of which were packed with documents of very little consequence, and were found in a corner of the record vaults in a bad state in sacks.

7047. Were those rolls, also most important and valuable, in the custody of the Clerk of the Pipe?—Yes; the Great Roll of the Pipe is more searched into than any other records in the custody of the late Clerk of the Pipe; and this series of annual rolls is now complete from 2 Henry 2 to 2 William 4, with only one exception, namely, the roll for the 1st year of Henry 3.

7048. Do you mean searched into for professional purposes, or for the purpose of history?—Both.

7049. Dr. *Bowring*.] How long had they been in that condition previously to 1832?—In the bad condition? I should think for about 32 years; since about the year 1800. In 1800, when the Clerk of the Pipe made a report to the Record Commission, they were then stated to be in rooms on the attic story on the east side of Somerset House, packed together in bags, in quite an unarranged state, and in bad condition, and they could not then be searched into by the public; a particular roll could not be got at by the public for the purpose of search; persons came to the office and were sent away; the roll could not be found.

7050. Sir *Robert Inglis*.] Searches have been made in your time for professional purposes?—Frequently.

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7051. Have literary men applied to consult them?—Frequently.

7052. Do you consider there is an inconvenient access to them?—No; there is a convenient access to them now; every facility is afforded for the searching into these rolls.

7053. *Chairman.*] That is, everybody who likes to go into a dark cellar may look at them?—No; the inconvenience of going to the vaults is to the officer who fetches the roll up to the Temple for the purpose of the search.

7054. It is inconvenient to the person who goes?—The distance from the Temple to Somerset House is the inconvenience; and it would be more convenient if they were in a light apartment instead of a dark one.

7055. Dr. *Bowring.*] It is always visited by candle-light, is it not?—Yes; it is quite impossible now to see without a lighted candle, for the King's College walls have been built up against the windows.

7056. But before, was it possible?—Yes, it was possible to find a roll without a light; it is only since the King's College walls were built up against the windows, and excluded the light, that candles became necessary.

7057. The usage is to visit the vault with lighted candles?—Yes.

7058. *Chairman.*] You said they were in a place perfectly accessible; let us understand how accessible they are; a person who has to consult them does not go to the office they are kept at, but he goes to the Temple?—Yes.

7059. On applying to you for the record he wants, you go off to Somerset House from the Temple and get the record?—Yes, I fetch the record, or send the messengers of the office for it.

7060. If he happens at first not to have specified the right record, or to have made a mistake, or on looking at it finds his inquiries require a subsequent record to be exhibited, you, or the messenger, would have to go back to Somerset House, to go down that long flight of stairs, to light your candles, and to penetrate into those vaults?—If there was that sort of uncertainty as to the date of the roll inquired for, instead of leaving the gentleman who required to make the search at the Temple, I should take him with me to Somerset House, where there is a convenient room under the late Pipe Office.

7061. What, under these vaults?—No, not in that part of the building; under the late Pipe Office there is a convenient room, that was occupied before the abolition of the late office by Mr. Foxton as his parlour; it was his room in which he daily sat; and that room is reserved by the King's Remembrancer for the convenience of persons coming to search records.

7062. Dr. *Bowring.*] Is that quite adjacent to the vaults?—No, it is up on high ground.

7063. Then there are three places which you usually employ in order to communicate between the searcher and the record?—No.

7064. There is your office in the Temple, the vaults, and the place in which, for greater adjacency, you would take the inquirer?—Whichever is most convenient.

7065. *Chairman.*] This is an arrangement by which you promote the conveniency of the parties; if I come to you, not knowing exactly the record I want, being rather uncertain, if I come to the Temple and state this uncertainty to you, you do me the favour of taking me a walk to Somerset House, and then you shut me up in this room, and you yourself run down to the vaults and bring up the record to me that I suggest, being in this room?—Yes.

7066. There being a constant succession of trips from this room in which I am confined to the vault in which the Pipe Rolls are confined, you manage, in the course of time, to get me the information I want?—Yes; that sort of uncertainty seldom occurs; we generally, in searches for the Great Roll, have the exact data, the year.

7067. Sir *Robert Inglis.*] What interval of time ordinarily elapses between the demand for the information and the supply of it?—A quarter of an hour.

7068. *Chairman.*] That is under the most favourable circumstances?—Yes, if the roll happens not to be at the Temple; it frequently happens the roll is in the office in the Temple, then it is immediately supplied.

7069. Is it, in addition to the other disadvantages of this establishment, uncertain whether the roll will be in its proper depository, or at the Temple?—It is in its proper depository, in the Temple.

7070. But not its usual depository?—No, it is at the Temple; if it has been brought up for a special purpose, it is not perhaps immediately taken down; if it requires

requires repair the officer is anxious to repair it before it is returned to its proper depository at the vaults.

7071. Dr. *Bowring.*] Do they sometimes remain out of the vault for any considerable time?—No, it is generally returned; I take care to do it as soon as possible; the first leisure moment I have, I make the repair, or see it done, and have it back to the vaults.

7072. For a day or two, or so?—Yes.

7073. Sir *Robert Inglis.*] So long as the documents remain in their present depository, do you consider it is expedient for the commission to go to the expense of otherwise arranging them?—As regards the Great Rolls of the Pipe, I do not think it is necessary to do anything as to their arrangement; in fact, they are arranged, and any roll can be come at at once.

7074. Dr. *Bowring.*] Do you ever allow an inquirer to accompany you to the vaults?—Yes; whenever any gentleman wishes to go to the vaults, we have no objection, if it is his wish.

7075. Then two candles are introduced instead of one; is it not so dark that it is necessary every individual should have a candle, even to find his way through the passages?—Persons may do so; I do not know it is actually necessary for each person to take a candle; I think if two persons followed the one who had a candle, they would be able to find their way.

7076. Is it not so completely dark, that it is almost impossible for any person to find his way out of the vaults, if at any considerable distance from the door?—Yes, for the frames on which the records are placed are in the centre; you are obliged to go round, and it would be rather a circuitous route to get out; there would be some difficulty.

7077. Sir *Robert Inglis.*] Would it be possible for any gentleman, on a cursory inspection of these records, made under the circumstances which you have now described to form any complete or correct idea of their state of arrangement?—No; I do not think any but an officer belonging to the records could give a satisfactory opinion as to the state of arrangement.

7078. Practically, the state of arrangement is sufficient to enable you, as the officer in charge, to procure, at an average interval of 10 minutes or a quarter of an hour, any document the date and specification of which may be noted to you?—Yes, as regards the Great Roll of the Pipe, which is the only record much searched into. There are many records that are not arranged; and these it would be some difficulty to find, and it would take a longer search.

7079. What class of documents do you designate as those in respect of which a longer time would be required, in order to enable you to produce one of them?—A great many declared accounts. There are many thousand declared accounts that are arranged in the periods of 10 years; within the periods of 10 years, they are put together; therefore it would be necessary to look through the shelf containing that number of years' accounts.

7080. Have you calendars or indexes to these records?—No.

7081. In what way is the search made, supposing a particular document in that class were required?—To look through the shelf containing the 10 years' accounts.

7082. The answer assumes that a given date, within 10 years, were noted to you?—Yes.

7083. On the assumption that no such date shall have been given to you, what mode exists by which a particular document might be discovered?—If no date is given of a record of that description, it would be very difficult to find it.

7084. Is there no calendar of names, or of places?—No.

7085. *Chairman.*] You have no calendars at all?—No.

7086. Dr. *Bowring.*] How do you find documents?—The Great Roll of the Pipe is almost an index of itself. Its contents are digested under the heads of counties; and the person searching always has a reference to a particular county, and the counties are arranged in alphabetical order in each roll; there is no difficulty in turning at once to the county; and under that head you would find the matter searched for.

7087. Sir *Robert Inglis.*] Was the legal custody of the records transferred, by the late Act of Parliament, to the King's Remembrancer?—Yes.

7088. Would it appear to you to be desirable that any of the other records in the Pipe Office should be transferred to the temporary custody of the Record Commission, in the same manner in which the temporary custody of many of the

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King's Remembrancer's records were transferred to the same commission, for the purpose of being cleaned and repaired, and put in a better state of arrangement?—All the unarranged records might perhaps be advantageously transferred to the temporary custody of the Record Commission, in order to clean and arrange them.

7089. *Chairman.*] Do not you think the Record Commission would have done a service if they had arranged these unarranged records?—Yes.

7090. And provided calendars and indexes?—Yes, but it would take a great deal of time to do it; I was employed, I think, for two years under the Record Board in arranging.

7091. What did you arrange in that time?—The Great Roll; and I discovered 11 rolls, which were supposed to be lost.

7092. When did you discover these?—In that time; from the end of 1831 to October 1833.

7093. Where?—In the sacks, and among the unarranged documents on the shelves.

7094. Is it 30 years after the first existence of the Record Commission that the Great Rolls of the Pipe were in this state?—Yes.

7095. Now there are quantities of unarranged records?—Yes.

7096. Are any of them of any value?—Not of any great value, so as to be searched into by the public.

7097. Do you recollect showing me the Crown Leases there?—Yes.

7098. They were altogether in a box?—No, on shelves.

7099. Wholly unarranged?—Yes.

7100. I think you told me that when searches were made among them, and that the searches did occasionally occur, you had to look through the whole of them before you could make out where the information was, and whether it existed there at all?—Yes.

7101. Would it not be useful that these should be arranged, as searches are made for the Crown Leases?—Yes, it would be advantageous to the public.

7102. When did the work of arrangement in that office stop?—At the abolition of the Pipe Office in October 1833.

7103. From your previous answers we are not to understand that the work of arrangement ceased because there was nothing more to arrange?—No.

7104. There was a good deal more that ought to be arranged?—Yes.

7105. Why were they not arranged?—From the circumstance of the abolition of the late office. I was appointed by the Treasury in my present office, under the King's Remembrancer, and I have not had time to go on with it since. I believe application was made to the King's Remembrancer by the secretary of the Record Board, for something to be done as to the arrangement, and as to the transcription of the Pipe Roll. I believe there was some difference of opinion as to the mode in which remuneration was to be made, and as to the regulations under which the operations were to be carried on; the remembrancer did not agree, I believe, with the secretary of the Record Board as to these matters, and I have heard nothing of it since.

7106. Was the cause of its being suspended because 6*d.* a folio was asked for transcribing?—Yes, partly; I demurred as to that.

7107. Had you not previously been paid 6*d.* per folio?—I have charged 6*d.* per folio for the transcript and the collation; I collate my copy, and it being in the nature of an office copy, I make the additional charge for collation. I objected to produce a copy under 6*d.* per folio, including the collation.

7108. Dr. *Bowring.*] Independently of the unarranged records in your keeping, are there any unexamined records?—Yes, there are many records; many documents that I have not had time to examine.

7109. How are they kept?—They are kept on shelves and wooden frames, and in a condition so as not to become in a worse state; they are occasionally dusted by the confidential man in the employ of the remembrancer, and all the records are kept in such a condition so that they shall receive no injury.

7110. *Chairman.*] Does the commission ever look to these?—Yes, it did, when I was employed.

7111. Does it now?—No; I have not been employed since 1833.

7112. Do you know that several rolls belonging to the Treasurer's Remembrancer's Office are at present in the First Fruits' Office?—No.

7113. You do not know if that is the fact?—No; I know very little about the Lord Treasurer's Remembrancer's Office, or about its records.

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7114. Sir *Robert Inglis.*] You have stated you were paid 6*d.* a folio for the work; were you paid that sum on the condition that you should collate as well as transcribe?—I do not know whether there was any positive arrangement made.

7115. *Chairman.*] Is not every person who transcribes bound to collate too?—That I do not know; I never had anything to do with transcribing records till I commenced under the commission transcribing the ancient Rolls of the Pipe; I have had the assistance of my friend and brother officer, Mr. Foxton, when I have made a transcription; he is perfectly conversant with records; I was a young hand; but I always had his assistance when I required it.

Mr. *William Foxton,* called in; and Examined.

Mr. *W. Foxton.*

7116. Sir *Robert Inglis.*] YOU were a sworn officer in the office of the Lord Treasurer's Remembrancer?—Yes.

7117. What records were in that office?—Principally originalia and memoranda.

7118. Were they arranged satisfactorily?—Yes.

7119. Could you refer at once to any document or roll in the office?—Yes.

7120. Are they not united, as to custody, to those of the King's Remembrancer's?—They are.

7121. Do you think that it would be desirable that the miscellaneous records of the late Lord Treasurer's Remembrancer should be transferred to the temporary custody of the Record Commission, and cleaned and better arranged, as part of those in the hands of the King's Remembrancer have already been?—The miscellanea now remaining unarranged are very few, not more than 70 or 80 small records; the others have been arranged into reigns, and placed in bags, each document being numbered and indexed; the number on each roll having reference to the same number in the index. I have a list of the reigns indorsed on the bags containing the documents or rolls belonging to such reigns.

7122. What facility is afforded to gentlemen engaged in historical inquiries for perusing any of the records in your office?—Any arrangement that is wished to be made might be made by consulting the remembrancer.

7123. Is, practically, any facility afforded to a literary man engaged in historical inquiry?—Every facility would be; I am not aware of any being applied for.

7124. *Chairman.*] Do not you require fees from persons engaged in such inquiries?—I think there would be some fee, which the remembrancer has to account for to Government annually, but that would be modified, I dare say.

7125. Dr. *Bowring.*] You are wholly paid by salary?—Yes.

7126. And do the fees go to the fee-fund?—Yes, I think there is a small fee; a portion of the fee is taken by the clerk making the copy.

7127. *Chairman.*] These records are kept in cellars contiguous to those of the Pipe Office?—Yes, in vaults.

7128. And as convenient of access?—In the same manner exactly as those of the Pipe, by going to the same rooms; and we are obliged to have candles; and our light and air has been obstructed by the King's College wall in the same way as at the Pipe Office vaults.

7129. You have not many unarranged records?—Not any, except those 70 or 80 rolls or documents before alluded to.

7130. Have you an index?—Yes.

7131. A perfect index?—I have a list of those rolls that are wanting; they are but few; the originalia and memoranda are placed on shelves, and can easily be found; a space is left for each record missing, and a +, in chalk, denotes that the record for that period is lost.

Mr. *Tarver R. Fearnside,* called in; and Examined.

Mr. *T. R. Fearnside.*

7132. The Right Hon. *C. W. Williams Wynn.*] YOU have at present the custody of the records belonging to the Auditors of the Land Revenue of England and Wales?—Yes.

7133. Where are these records now kept?—A great many of them in Spring Gardens, No. 11, which was the old Auditor's Office; the remainder are in the Carlton Ride.

7134. Can this be considered as the permanent repositories where they are to remain?—I hardly know; I heard a report that it was intended to build a new

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office for them, but it is some time ago; I have not heard it lately; I therefore presume the proposition has fallen to the ground.

7135. *Chairman.*] For aught you know, there they will stay?—I should think so, and hope so.

7136. The Right Hon. *C. W. Williams Wynn.*] Do you know anything of the plan under the consideration of the Treasury for the erection of a suitable repository for them?—No, not a general repository; I heard, as I said before, of a repository for my own records especially; I heard of this some time ago, but I have heard nothing of it lately; I was not aware anything was done in it.

7137. Are they in a tolerable state of arrangement?—One part of them is in complete arrangement; the miscellaneous records are in a very confused state.

7138. Is not that very much owing to their having been moved about?—Decidedly.

7139. In consequence of the pulling down their former repositories?—Certainly; in fact the greater part of the labour of the commission in 1800 has been entirely nullified by the conduct since, by the removal of them and placing them in different positions since that period, when they were arranged and got into some order; since then, in taking them into the Ark, the Mews and the Ride, they have been disarranged.

7140. *Chairman.*] Did the old commission arrange them or alter them?—I believe it was done under them. Mr. Bryan Richards and Mr. Hewlet were engaged under the commission I believe. I was not in office at the time, and cannot speak from my own experience.

7141. The Right Hon. *C. W. Williams Wynn.*] Have they not been peculiarly exposed to derangement in consequence of the measures of Government in respect of the buildings in which they were deposited being either taken down or required to be used for other purposes?—Certainly. I do not know of my own knowledge, for as I said before, I was not then employed. I have heard, from those long connected with the office, that they were removed from the places where they had been arranged under the direction or assistance of the commission without any information being given to the auditors of their removal; the doors were opened and the records taken out by bundles by labourers, and carried into that wooden building that was in the Hall; it was not until they had been some days employed at this, that the auditors became aware their records were touched.

7142. *Chairman.*] All the good done by the old commission was undone by some want of care on the part of others?—Yes, so I have been told.

7143. The Right Hon. *C. W. Williams Wynn.*] When was this done?—At the time of their removal into the Hall.

7144. Dr. *Bowring.*] Was nobody there to superintend their removal?—Not at first; it was two or three days before the auditors became aware they were being removed.

7145. *Chairman.*] At the time they were rebuilding the Law Courts?—Yes.

7146. Dr. *Bowring.*] In whose special custody were they at that moment?—In the Auditor of the Land Revenue for England, the Auditor for Wales; and those within the district called the Four Counties were in the custody of the deputy auditor as acting auditor for that district.

7147. Did you understand that workmen removed them in the absence of any party who had the charge of them?—I understood so.

7148. *Chairman.*] So that the workmen superseded all those persons who were trusted with the custody of them?—Yes, and the cords with which the bundles were tied were in many cases broken, and the labourers then deposited them in the most convenient spot.

7149. Under whose authority did they do this?—Under those who were repairing the courts, I imagine. It is mere hearsay. The doors were broken open, I presume, for they did not send to the auditors for the key.

7150. The Right Hon. *C. W. Williams Wynn.*] Is care now taken of the records?—Yes, all the care that can be taken.

7151. Are improvements made in their condition?—Yes, as rapidly as the assistance I have and the means at my command can do, they are being repaired and collected and bound.

7152. Do you apprehend that any complete arrangement of them can be made till they shall be brought together in a fresh repository?—There are two series, one is a connected series of the entries of grants under the Crown sales, and various transactions relative to the disposal of Crown property; and there are other miscellaneous

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miscellaneous records that relate to a variety of matters, they will require a long time before they can be brought into order.

7153. Are these records, to which there is most frequent access, now in a tolerable state of arrangement?—They are, except in regard to the indexes.

7154. Do you apprehend that it would be possible to make indexes until they shall all be brought together?—Yes, the portion I have that are bound and collected could certainly, and I am proceeding with it as fast as my other duties will allow me.

7155. What is about the amount of the records you consider to be in a satisfactory state of arrangement?—A very large body of records altogether, upwards of 200 volumes.

7156. *Chairman.*] What proportion of them; half of them?—I should imagine rather more; about half, not as to bulk but as to real utility, for there are a vast number in the Ride of no value whatever.

7157. Those in this state of arrangement have no index?—Partially in some respects, and others are complete. Under the old arrangement there were seven auditors, and they had the counties portioned out to them, and in some of the divisions they have been well arranged and indexed; others have no index whatever to them.

7158. The Right Hon. *C. W. Williams Wynn.*] Among the records in your custody, are there not some that are of no use in respect of any purpose connected with questions of right?—A large body of them are of no value whatever.

7159. Do you conceive them at all curious, as illustrative of points of history?—I believe very much so, if they could be made available to the public by good indexes.

7160. Do you not think that that description of record might, with advantage, be transferred to the British Museum?—No, they are all so connected that it would be difficult to transfer any portion of those records that I am more particularly acquainted with. I cannot say that I do know precisely the whole extent of those that are in the Ride, for they are in such a miscellaneous and confused state it is impossible to get any knowledge of them; but those I am more intimately acquainted with, it would be impossible to separate, as they are all so connected.

7161. Do you think it an expedient measure to transfer them to the temporary custody of the Record Commission, for cleaning, repairing and arranging them?—No, I can do that myself, it is only the amount of time, not anything else. If I had more time or a little more assistance I could do it as well perhaps as the commission; and in arranging and repairing I get a knowledge of the record, which is of consequence.

7162. *Chairman.*] You would be thankful if the commission gave you that assistance?—Very much so.

7163. They have not done it?—I am more particularly under the Treasury; I am not in the situation of other record officers; it carries on its record business at the present day; it does not cease at any particular period, as many of the record offices do.

7164. Still, if the commission, in a laudable anxiety for rendering these records available to the public, came and offered to aid you in arranging them, you would not have refused to accept their offer?—I should not have felt myself at liberty to have accepted it, except under the sanction of the Treasury.

7165. Have you reason to suppose that would be withheld?—No.

7166. At any rate the Record Commission never tried the experiment?—Not since I have been keeper.

7167. Dr. *Bowring.*] How many subordinate persons are under you?—Only one clerk; the establishment has only one assistant keeper.

7168. The Right Hon. *C. W. Williams Wynn.*] Do you see any reason for the inability to complete the arrangement within any moderate time?—I should of course make much more rapid progress if I had assistance in the manual part, such as assisting me in copying, &c.

7169. But otherwise, within what time do you think, within a moderate and reasonable period, you might be able to complete it?—I cannot say; I have been applying all the time I possibly can since I have been appointed; but having only one clerk to assist me, and a great deal of current business to transact, it is only my private time as yet that I have been enabled to devote to these matters.

Mr. *Thomas Macdonald*, called in; and further Examined.

Mr. *T. Macdonald.*

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7170. Dr. *Bowring.*] HAVE you any statement that calls for correction?—Yes.

7171. You have prepared a statement of the amount of correction in divers works?—Yes.

7172. Be so good as to deliver it in?—(*The Witness delivered in the document.*)

Veneris, 1° die Julii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Villiers.
Mr. Pusey.	Sir Charles Lemon.
Right Hon. C. W. Williams Wynn.	Mr. Hawes.
Sir Robert Inglis.	Dr. Bowring.

MR. CHARLES BULLER, IN THE CHAIR.

F. D. Danvers, Esq.

1 July 1836.

Frederick Dawes Danvers, Esquire, called in; and Examined.

7173. *Chairman.*] YOU are Clerk of the Council, and Keeper of the Records of the Duchy of Lancaster?—I am.

7174. You have a large collection of records?—Very large.

7175. Are they in a good and accessible state?—Yes.

7176. Are they well arranged?—Yes.

7177. Are the contents of your office generally well ascertained?—Yes, they are.

7178. Will you state to the Committee what operations have been carried on by the Record Commission in respect of the records in your custody?—They have published three volumes of indexes or calendars. The first volume contains a calendar to the Inquisitiones Post Mortem, comprising about half the volume; the other half and the two subsequent volumes consist of calendars to Pleadings in the Duchy Court.

7179. Is not that calendar to the Inquisitions defective in some respects?—It may be defective in some respects.

7180. Has it, for instance, the names of the heirs?—No.

7181. That is wanted?—That is wanted.

7182. Are the calendars to Pleadings works of great utility?—I think they are.

7183. Other improvements have taken place at the expense of the Duchy, have they not?—Yes.

7184. Does the Duchy spend an annual sum upon the records?—Yes; a gentleman, who was formerly in the Tower, has been employed of late years by the Duchy to arrange and look into the records and muniments of the Duchy.

7185. At whose cost has the work of arranging and calendaring been done?—The calendars that I have mentioned have been carried into effect entirely by the Record Commission.

7186. Were they made by them?—Under their directions, and at their expense.

7187. Has the arrangement been done at the expense of the Duchy?—Not of those calendars. A previous arrangement had been made, inasmuch as there was an index to Pleadings; but it was not so full as those calendars.

7188. How much has been done by the present, and how much by the former, commission?—The former commission had brought the calendars to the Pleadings down to about the 36th of Elizabeth; the present commission continued them till the end of Queen Elizabeth's reign, and there they stopped.

7189. What proportion then of those records have the present commission calendared?—I should think about a fourth or fifth part.

7190. Do you make a distinction between documents which you regard as public, and of which copies are given to any applicant, and those which are private, as being the evidences of His Majesty's right to certain manors, lands, franchises, patronages, and the like?—Certainly.

7191. Does this appear to you to be a necessary and proper distinction?—I think it is.

7192. Those

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7192. Those which you regard as public are open to all persons in the same manner as the rolls of Chancery, or in any other court?—Yes.

7193. And the private are not open?—They are not.

7194. Upon the same principle that a private nobleman would not allow indiscriminate searches into his own title-deeds?—Not quite on the same principle, inasmuch as we should not refuse the inspection of our original charters to any person applying.

7195. Have you an exact and definite line of separation between public and private documents?—All matters connected with the revenue department of the Duchy are considered private.

7196. Have you any catalogues separating those two classes?—No.

7197. If I went there, and wanted to look at any document, the effect of which would be adverse to the Crown, would it be in the power of the Duchy to keep it from me as a private document?—I should say, if it had reference to any pleadings or proceedings in the Duchy Court of Lancaster, it could not be withheld.

7198. Suppose it was inconvenient to the Duchy to produce it, that it would be fatal to their pretensions, although it was of that class which, in your better judgment, you would think public, might not the officer of the Duchy tell me that it was private, and refuse access upon that ground?—The course I should take in such a case would be to apply to the chancellor and council for their directions, and act under their sanction.

7199. Suppose there was a wish to keep back information from me, it could be done, could not it?—It depends upon the particular description of record; if it had reference to any pleadings in the Duchy Court, we could not withhold it; we should not be justified in doing so.

7200. But supposing the Duchy denied it, what remedy should I have?—I cannot say.

7201. If I made an appeal to the public about it, how could I prove it?—The refusal to produce a public record is a case so unlikely to occur, that I am not prepared to answer the question; I cannot say what proceedings would be necessary to enforce the production of the record in such a case.

7202. Without enforcing its production, supposing the fact to occur, how could I convince the public that the Duchy were treating that as private which, according to their own principle, was public?—You would convince the public by the statement that you would make to the public.

7203. I could not point to any catalogue in which it was mentioned as a public document?—No, unless it was included in the calendars published under the Record Commission.

7204. Are applications ever made to you by literary men to have access to the records, with a view to the preparation of works?—Occasionally.

7205. Do you charge them the same fee as you charge to a professional man for legal purposes?—There is no rule; but generally less fees are charged.

7206. Are there any operations now being carried on at the Duchy Office on the part of the Record Commission?—No.

7207. Are there still records not well arranged, or which want repairing and binding?—There are some that are now undergoing arrangement, on the part of the Duchy, by the gentleman to whom I have before referred.

7208. Was not the reason that the commission discontinued to repair and bind, that they thought the general records of the county should take precedence of those of the Duchy in these operations?—That is a question which I am not able to answer.

7209. The Right Hon. *C. W. Williams Wynn.*] Are there any calendars or abstracts of the records in the Duchy of Lancaster now in the course of preparation by the officers of the Duchy?—Yes, there are.

7210. Will you be so good as to state what they are?—The better arranging and indexing the Court Rolls is one thing; another is, making a register to the Royal Charters. This register has been completed from the reign of William the 2d down to the year 1377, and is going on.

7211. To what extent does that register proceed; what number of volumes?—There are three volumes of that register already completed.

7212. The list of which you have spoken is a work which requires particular attention and qualifications on the part of the individual who is carrying it on?—Decidedly.

7213. Therefore you do not think that that could be advantageously intrusted to more

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more than one person at the same time?—I should think it much better to intrust it to only one person who is quite competent for it.

7214. Will you state the nature of that register?—It is a calendar to the charters and grants under seal; a general calendar embracing the dates, the names of parties to whom grants are made, and an epitome of the contents; and it is certainly a very useful calendar, as elucidating facts of history.

7215. What is the object of the register that is now making?—One great object in view is, the tracing the Duchy property from its first coming to the Duchy to the present time.

7216. The different owners through whose hands it has passed?—Precisely.

7217. *Chairman.*] Are there not several very valuable and important records in the Duchy which are left in disorder?—I do not think there are any in disorder now.

7218. Is there not a large collection of ancient deeds, commencing with the reign of William the Conqueror?—Commencing either in his reign, or in the reign of William the 2d; those are the deeds to which I have been referring as being in course of arrangement, and of which three volumes are completed.

7219. The Registers, and the Ministers' Accounts, and the Court Rolls?—We have indexes to all of those.

Mr. *George Gunthorpe*, called in; and Examined.

Mr. *G. Gunthorpe.*

7220. The Right Hon. *C. W. Williams Wynn.*] YOU are in the First Fruits' Office?—I am.

7221. Who is the chief of that office?—Henry Warre, Esq., the remembrancer.

7222. What is your peculiar situation there?—Senior sworn clerk in the remembrancer's department of First Fruits and Tenths in the Court of Exchequer.

7223. How long have you held it?—I have been in the office betweeen 12 and 13 years.

7224. How long have you been senior?—I think it was in 1829.

7225. You are then well acquainted with the records in your office?—I am.

7226. What is the peculiar nature of them?—I divide them into four parts: first, Surveys of all Ecclesiastical Benefices, &c.; second, Rolls of Pleas and Proceedings in the Court of Exchequer, from the first year of Queen Mary to the 3d George the 1st; third, Certificates of all Ecclesiastical Livings not exceeding the yearly value of 50*l.*, returned into the Court of Exchequer by virtue of an Act of Parliament of the 6th of Queen Anne; and the fourth, Bishops' Certificates of Institutions, Patronages, &c.

7227. Is there frequent resort to them for the purposes of business?—There is.

7228. Do you experience any difficulty in finding any records in your office which may be wanted?—There is no difficulty in finding the records that are arranged in the office.

7229. Is your office, as a building, convenient for the depositing and searching for records in it?—Yes; but it will become more and more inconvenient as our records increase.

7230. Do they already nearly fill the office?—I cannot say that they do; we have presses in which we can place them for many years to come. There is little inconvenience at present.

7231. Nor do you apprehend any inconvenience for several years to come?—For many years to come.

7232. Is your office, as a building, easy of access?—Certainly.

7233. You have mentioned the Valor Ecclesiasticus as being in the office. How long has the First Fruits' Office had the custody of it?—From the first establishment of the office. The commissioners handed them over for the purpose of the collection of the First Fruits.

7234. Was there any such office before the reign of Queen Anne?—Certainly there was.

7235. Then it was a separate office before the reign of Queen Anne?—Yes.

7236. You consider the Valor Ecclesiasticus to be the most important document in your custody?—Certainly; because it is from that we collect the revenue of First Fruits.

7237. Will you state the nature of that record?—It is surveys of archbishoprics, bishoprics, abbeys, monasteries, priories, colleges, hospitals, archdeaconries, provostships, deaneries, prebends, parsonages, vicarages, chantries, free chapels and other dignities, benefices, offices, or promotions spiritual within this realm, taken

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by virtue of certain commissions of King Henry the Eighth, according to the tenor and effect of an Act of Parliament provided in that behalf in the 26th year of his reign.

7238. Are they a transcript, or the original returns?—They are the original rolls, with the signature of King Henry the Eighth to the instructions, and likewise the signature of the commissioners to the rolls. The instructions are annexed to the rolls.

7239. Some of them are under seal, are they not?—I think it is some of the instructions that have the seal attached.

7240. So that the Valor was not compiled from certain records, but is a collection of the records themselves?—That I cannot undertake to say; it has never been questioned, I believe.

7241. They are the original returns of the commissioners?—They are the original rolls under the hands of the commissioners.

7242. Are they upon parchment or upon paper?—Upon parchment some, and others upon paper.

7243. In rolls or in sheets?—In rolls and likewise bound; the paper records are bound for the better preservation of them, but the parchments are most of them in rolls.

7244. Does the appearance of them indicate that they were delivered into the Exchequer by different bodies of commissioners from their being in different shapes and forms?—Precisely so.

7245. Have you heard that portions of the Valor have been recently discovered at the Augmentation Office?—I have heard so, but I have not seen any of them.

7246. If those portions should not have the King's writ annexed, or the attestation of the commissioners, should you believe that they were parts of the Valor?—That I could not exactly say, because we have some that have not the instructions annexed, and we have some that have not the signature of the commissioners to them.

7247. Has not the Valor been printed by the Record Commission?—It has.

7248. Has not the Record Commission also taken measures for the better preservation of the original?—They have repaired them, and likewise bound many of them; those that were in a dilapidated state.

7249. *Chairman.*] Is the printed Valor inaccurate?—In many instances I have found it so.

7250. You say you have heard of those portions that are said to have been discovered since; do you know whether they properly belong to the Valor?—I do not know; I have not seen them.

7251. From what you have heard, should you think they ought to have been included?—I should say not; but I merely speak from having heard of them. When I say the Valor, I mean the rolls in the office; that I should say was complete without those which have been found.

7252. But the publication is inaccurate?—That is inaccurate.

7253. Have not a large quantity of useful records not belonging to your office been sent there?—They have not been sent there, because we took them there from the King's Mews.

7254. How did you get them?—We went in two coaches and took them away.

7255. Why did you do this?—We did not know till we got them to the office to sort; we were referred to a room, over which was written "First Fruits' Office." We went in and took what was there, and when we got them to the office we proceeded to sort them; two-thirds of what were brought to our office are arranged in our own presses; and of the remainder there are perhaps about one-third that do not belong to us. I am now going on with the arrangement.

7256. Whom do they belong to?—There are some fines and recoveries; those are Common Pleas records. I do not know whether there are any belonging to the King's Bench; there are one or two bags, about a foot square, belonging to the army accounts.

7257. This must have been in the general confusion of one of those repositories?—I consider that at the removal of the Common Pleas records from the wooden building in Westminster Hall that this part of our records got mixed, and was moved to the King's Mews; and then in sorting them at the King's Mews, they put these on one side.

7258. What proportion of your records are unarranged?—Very few; only about one-third of those that we brought away from the Mews.

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7259. What assistance has the commission given you in arranging?—Not any.

7260. Have you good calendars and indexes?—Excellent calendars and indexes.

7261. Were those made by the commission?—No, they were not; the commission have done nothing but repair and bind the Valor.

7262. How long have those calendars been in existence?—I think we can carry them back as far as Henry the 8th. There are four classes of records: I am now alluding to the Certificates of Institutions; those we can carry back as far as Henry the 8th.

7263. Have all the other classes of records good calendars?—They have; but old calendars, which have from time to time been made in the office and by the office.

Arthur Eden, Esq., called in; and Examined.

Arthur Eden, Esq.

7264. Sir *Robert Inglis.*] ARE you Deputy Comptroller of the Exchequer?—Assistant Comptroller.

7265. Have not you the custody of the records of the late Clerk of the Pells?—When the office was remodelled they were handed over from the Clerk of the Pells to the Comptroller-general.

7266. What is the nature of those records?—They are rolls of issue and receipt of the public revenue.

7267. What extent of time do they embrace?—The Rolls embrace from Hen. 3 to the close of the last century; the Patent and Privy Seal Books from Queen Elizabeth to the present day.

7268. Where were they kept before they were removed to Scotland-yard?—In the eastern tower of Westminster Hall.

7269. Were they well arranged and in good condition formerly?—I have understood previously to the year 1820 they were in some sort of arrangement, but they were thrown into very great confusion by the repair of that tower; and when Sir John Newport was put in possession of them they were in entire confusion.

7270. Have they since been repaired and arranged, and if so, under what authority?—In February 1825, when the state of them was reported to Sir John Newport, he made application to the Treasury to be allowed to employ some person to arrange them. Leave was immediately given to him, but the Treasury suggested a reference to the Record Commission.

7271. Was that reference successful?—Mr. Devon was recommended, and the work is now in progress; he is putting them into chronological order.

7272. To what extent has this work proceeded, and how long will be required to complete it?—It was calculated originally that it would take about three years, and 15 months of that period have elapsed.

7273. Has the progress been such as to justify the belief that the entire work will be completed in the time originally assigned to it?—Scarcely. I believe that it is supposed their arrangement will take something under four years.

7274. Practically, are the records at this moment accessible for searches and reference, as other public records are?—They are perfectly accessible, as far as they are arranged, without any fee of any kind.

7275. The last question was limited by the terms of it to those records which are arranged; those are accessible without fee?—They are.

7276. Are they frequently referred to for legal purposes?—I apprehend not; they have not been referred to since they have been in the possession of Sir John Newport.

7277. From the last answer which you gave in reference to their accessibility, the Committee understand that to professional men, and of course to literary men, free access is open to those records?—Entirely.

7278. Have not some extracts from these records been lately published?—Mr. Devon, under the direction of the Comptroller-general, has published two volumes.

7279. According to your view of the contents of these records, do you consider that with respect to them the Record Commission can do anything more to render them useful than the work which is now in progress?—If it were considered that it would be advisable to publish any further extracts from the records, of course the Record Commission, in conjunction with the Comptroller-general, would be very useful in superintending the publication.

7280. Do you think that any of those records which are valuable chiefly as historical documents might with advantage be transferred to the British Museum?—I do not exactly see the object of their being removed; when they are put in complete order they will be entirely accessible without any expense, and they are in perfect security. In addition to which, under the Act of Parliament which regulates the office, I do not know whether the Comptroller-general would consider himself authorized to transfer them.

7281. The question with regard to the expediency of the transfer of those documents had special relation to those documents, and those only, which are of historical interest, as distinct from legal authority?—You can scarcely make any distinction under the Act of the 4 & 5 Will. 4, c. 15, s. 7, which hands them over to the Comptroller-general. I doubt whether they could be given up without an alteration in that Act of Parliament.

7282. *Chairman.*] When was Sir John Newport appointed Comptroller?—In October 1834.

7283. Up to that time the records were in great confusion?—In entire confusion.

7284. The commission having then been in existence three or four years?—I do not know.

7285. Had the commission done anything during that time?—Not that I am aware of. I have heard that applications have been made to the Treasury, either on the part of the commission or on the part of the Clerk of the Pells, for permission to arrange them, which had not been acceded to.

7286. But you know nothing that the Record Commissioners have done?—Nothing more than, since Sir John made that application to the Treasury, the Record Commissioners recommended Mr. Devon, and sent down a person, whom they now pay, to repair them.

7287. How many persons since that period has the Record Commission had at the Comptroller-general's Office?—Mr. Devon is employed and paid by the Treasury; the person who repairs the rolls is paid, I apprehend, by the Record Commission.

7288. There is one person in the pay of the Record Commission at the office?—Yes.

7289. There is still a great mass to arrange?—One-third of them is arranged, and two-thirds not.

7290. Those will take three or four years?—They will take about four years in the whole.

7291. If the Record Commission had more than one person employed, that work would proceed faster?—Of course it would, if they would not create confusion.

7292. Would the employing two people create confusion?—Perhaps not, as there is no index being made at present.

7293. When is the index to be made?—They cannot make the index till the work is done.

7294. Then to all those records there is no index now?—I apprehend not. Memoranda of the rolls arranged are made as the work proceeds, from which the index will be hereafter completed.

7295. Sir *Robert Inglis.*] Is it possible to procure persons competent to repair records at a moment's notice?—That I cannot answer at all.

7296. Is it a peculiar art, or is an art which any bookbinder can exercise?—That is a question I have not knowledge sufficient to answer; it seems to be very nicely done.

7297. *Chairman.*] You do not know whether that one person at the Comptroller-general's Office now, is the only person in Great Britain that can do it?—I apprehend not the only person in Great Britain.

7298. Mr. Frederick Devon superintended this arrangement?—He is now superintending it.

7299. At what hour is Mr. Devon able to come to the Comptroller-general's Office?—He comes at the hours at which he can get away from his other duties.

7300. He is a clerk in the Chapter House?—He is.

7301. And he officiates in that capacity from nine to one?—I cannot say as to his attendance at the Chapter House.

7302. Also at the Duchy of Cornwall Office he officiates from one to four?—I cannot say what his other avocations are.

7303. Does he ever come before four?—Yes; he comes early and he comes late.

 7304. He

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7304. He does not spend his whole days there?—No.

7305. Nor the greater portion?—I cannot say what time he spends there. I should mention that the Treasury, in their allowance, limited Sir John to 300 *l.* for the arrangement of these records, and he was to give this 300 *l.* as the work progressed.

7306. Then do not the commission pay anything?—Not for the arrangement; they pay for the repair.

7307. And Mr. Devon is employed by the Treasury?—Yes; at the request of the Comptrollor-general, and by the recommendation of the Record Commission.

7308. He is under the control of Sir John Newport?—As far as Sir John Newport's records go.

7309. And Mr. Devon has, in addition to his other labours elsewhere, and at the Comptroller-general's Office, been employed in editing some records which he has found in the Comptroller-general's Office?—He has edited two volumes.

John Allen, Esq., called in; and Examined.

John Allen, Esq.

7310. The Right Hon. *C. W. Williams Wynn.*] YOU have for many years been an inquirer into the constitutional and legal history of this country?—To a certain extent I have; I have for 25 years been more or less occupied in these subjects.

7311. You are one of the Commissioners of Record?—I am.

7312. Have you had much occasion, in the course of your researches, to examine into the publications of the Record Commission?—I have examined several of them; many of them I have occasionally consulted.

7313. Does it appear to you that those which have been selected for publication have been generally useful to historical research?—I have found them in my own researches extremely useful.

7314. Does the selection which has been made for publication appear to you to have been generally judicious?—That depends upon a comparison with those that remain unpublished, to which I cannot very well speak. Many of the publications of the Record Commission are adapted for legal purposes chiefly, with which I have had very little to do, but those that relate to constitutional inquiries I have found exceedingly useful.

7315. Does it appear to you that those publications have contributed material assistance to historical research, and to all persons who are engaged in writing the history of this country?—Most unquestionably.

7316. Have they had the effect of enabling writers of the present day to correct many mistakes into which former historians have fallen?—It enables them to do so, if they avail themselves of the advantages afforded by those publications.

7317. Do the publications which are now carrying on appear to you to be calculated to produce the same effect?—Some of them I think exceedingly useful, and very valuable and curious; I should say particularly the Rotuli Curiæ Regis; some Scottish fragments, which are printing at this moment, and many others of these publications are exceedingly useful, and deserving to be continued.

7318. How many years have you been a member of the Record Commission?—Five years.

7319. Have you during that time been a constant attendant?—I have been a very frequent, but not a constant attendant; I have attended when it was in my power to attend, but I have occasionally been unable to attend.

7320. Does the constitution of the board appear to you to be such as is well calculated for the objects to which it is directed?—I think various improvements might be made in the constitution of the board; and if I were asked more specifically to any particular points, I could answer more specifically.

7321. The question is asked generally, in order that you may convey your opinion fully; will you state your opinion of the general constitution of the board, and whether any, and if so what, alterations you think might be desirable?—It is difficult to state *vivâ voce*, without any previous preparation, the alterations that may have passed in one's head: but in the first place I should say, that for the ordinary business of the board, the distinction of quorum commissioners and common commissioners had better be done away with, because frequently it is impossible to hold a meeting of the board, even for months, on account of the absence or the occupations of the quorum commissioners. I by no means want to abolish the distinction, but I should propose that, for ordinary business, meetings might be held without the

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the presence of a quorum commissioner. With the permission of the Committee I will deliver in some observations on the constitution of the board, which I wrote and circulated among its members; with extracts from a letter to Lord Brougham in explanation of certain parts of the plan, which had not, in my opinion, been properly understood.

[*The Witness delivered in the same, which was read as follows:*]

OBSERVATIONS by Mr. *Allen*, one of the Commissioners, upon the Constitution of the Record Board.

I CONSIDER the Record Commission to be a board of commissioners, nominated by His Majesty, for the purpose of inspecting and inquiring into the state and management of the record offices and other repositories for public records and papers throughout the kingdom; for reforming the same as far as their powers extend, and where their power is deficient, to report thereon to the King in Council; and to recommend such alterations and improvements as to them shall seem necessary or expedient.

Its principal duties are,

1st. To see and provide, as far as it has the means, that the records are kept in good condition by those who have charge of them, and that they are made as available as possible both for legal searches and literary inquiries; and, 2dly, to select, at the discretion of the commissioners, the most ancient and valuable monuments of our history, laws and government, and to cause them to be printed or made otherwise accessible to the public.

In addition to these duties, the commissioners have been directed by a special order of His Majesty, to take measures for the publication of an uniform and convenient edition of the works of our ancient historians, for the advancement of historical and constitutional knowledge.

It must be obvious that these several duties require for their performance very different qualities and attainments in the persons who are entrusted with them: diligence, activity, a plain understanding, and an acquaintance with the uses for which records may be wanted, are sufficient for the first; an extensive knowledge of history and literature is necessary for the other. Persons qualified for the latter would most probably be unfit for the former occupation, and apt on that account to neglect it, or to perform it badly. On the other hand, many a one might be fit to superintend the cleansing, mending, methodizing and binding records, and able to direct indexes and calendars to be framed for them, and better and more commodious repositories prepared for their reception, and qualified even to inquire into the fees and duties of the record officers, and into the rules and usages of their different offices, and to suggest alterations and improvements in the same, who would be utterly incapable of judging and selecting what was proper for publication or transcription, as illustrative of the progress of civilization, literature and law. These duties ought therefore to be severed, and performed by different persons.

To appoint paid commissioners for the selection and publication of the more ancient and valuable monuments of our history, laws and government, or for the superintendence of an uniform and convenient edition of the works of our ancient historians, would be a profligate job and scandalous expenditure of public money. The whole business to be done by such commissioners, exclusive of the works they published by the agency of others, could not occupy them many days in the year. To permit them to act as editors, as well as commissioners, would be a temptation to single out works for publication, not on account of their intrinsic value, but because this or that commissioner was qualified or disposed to edit them; and at any rate it would expose them to the suspicion of making profitable bargains for themselves, at the expense of the public.

But if paid commissioners for the selection and publication of the ancient monuments of our history, laws and government, are for these reasons objectionable, no one surely would venture to propose a regular board of well-paid commissioners for cleansing, mending and methodizing the records. All that is wanted for that purpose is the employment of suitable clerks and workmen, under the superintendence of a steady, active and intelligent person, skilled in records, who should direct his whole time and labour to the work. Such a person might be engaged for a moderate salary, and prohibited from any other occupation which could divert his attention from the duties of his office. He might be enjoined to make monthly reports to a board of unpaid commissioners, with whom he should be in direct communication, and from whom he should receive his instructions and the funds necessary for his operations. If he had complaints to prefer, or reforms to suggest, in regard to any of the record offices under his superintendence, he should be required to make, along with his monthly reports, such statements to the commissioners; and it ought to be their duty thereupon, after due inquiry, to forward his representations to the quarters where there was authority to correct the faults or carry the reforms into effect.

Besides the appointment of an inspector or superintendent of record officers, with a suitable salary, further alterations might be made with advantage to the present constitution of the Record Commission.

1. The distinction between the quorum and ordinary commissioners might be abolished, as far as relates to meetings of the board for the dispatch of ordinary business.

2. Instead of the same person acting as treasurer and secretary, there ought to be a treasurer distinct from the secretary, and his accounts should be audited and balanced every year.

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3. The funds of the board ought to be lodged, as has been recently ordered, in the Bank of England, and issued, as occasion requires, to the treasurer, by an order from three members of the board, one of whom to be a quorum commissioner.

4. Every year there should be a definite sum set apart for the superintendent of record offices, which he should receive by monthly instalments from the treasurer, rendering at the same time an account of his expenditure for the preceding month.

5. All other payments by the treasurer should be made in pursuance of orders from the secretary.

6. No publication ought to be ordered without an estimate of its probable expense, and no agreement made with an editor except at a meeting of the board, and without the particulars of the agreement being entered on the minutes.

7. At the first meeting of the board after the accounts of the treasurer have been audited, the secretary should present a statement of the debts and liabilities of the commission, as far as the latter can be estimated, after which the annual allowance to the superintendent of the record offices for the following year should be settled.

If it be asked what are the advantages of unpaid commissioners, who cannot be expected to devote the whole, or even the greater part of their time to the duties of their commission, and who must therefore become a board of control and direction, instead of being a board of management and execution, it may be answered,

That this plan admits into the commission men of high official station, who cannot, it is true, dedicate much of their time to its labours, but whose occasional presence and authority will give it weight and influence with those from whom it must derive its means, and over those on whom it is intended to exert its control. The Speaker, the Chancellor of the Exchequer, the Secretary of the Home Department, form a medium of communication with the House of Commons and with the Government. The Master of the Rolls and the Barons of the Exchequer have many of the chief records of the kingdom under their care. The Archbishop of Canterbury must have weight with all who have ecclesiastical papers and muniments in their custody. The Lord Clerk Registrar has the whole records of Scotland under his charge. Where reforms ought to be introduced into any of the record offices, or new appointments to be made of record keepers, these persons, if members of the commission, may be expected usefully and effectually to give their advice and exert their influence, in opposition to those who object to additional trouble in the discharge of their duties, or who apply for situations they are not qualified to fill, on the ground of private favour, family connexions, or parliamentary interest. If to a commission of this description be added some persons of moderate but independent fortune, who have given their attention to the history, literature and antiquities of their country, a board of commissioners may be constituted adequate to all the purposes for which such a board was intended, without admitting into it a single person who seeks to derive any pecuniary profit from his situation as commissioner.

Nothing would be wanted in such a board but an efficient executive, composed of persons paid for their labour, and responsible to the commissioners for their conduct. That executive might consist, 1st, of a secretary to record proceedings and carry on the correspondence of the commissioners, to call their attention to subjects requiring their consideration, and make preliminary arrangements with the editors of the works they resolve to publish; 2d, of an inspector or superintendent of record offices, who should hire, discharge and pay the workmen occupied in repairing and binding records, as well as the clerks employed in sorting, arranging, calendaring or indexing them. The superintendent or inspector ought to be in direct communication with the board, and make monthly reports to it of his progress.

3. Of copyists for the transcription, and editors for the printing of such manuscripts as the board judges fit for transcription or publication. Editors and copyists under the direct control of the board might have the title of sub-commissioners. But there should be a power vested in the secretary to suspend at any time their labours, if he saw fit, reporting thereon and stating his reasons at the next meeting of the board.

EXTRACT from a Letter of Mr. *Allen* to Lord *Brougham*, dated 19th of June 1836.

Mr. Cooper has sent me a copy of your opinion on the constitution best adapted for the Record Commission, and I am glad to see that you agree with me in the objections I have made to paid commissioners, as well as in the general view I have taken of the subject. But, perceiving that some parts of the plan appear to you doubtful or objectionable, I trouble you with some further observations, which will enable me to enter more fully into the details of management and control which I should be inclined to recommend.

When I proposed a treasurer distinct from the secretary, I did not mean a paid treasurer with a salary from the board, but a banker or banking company, who should have charge of the funds of the commission. If our pecuniary concerns were thought too insignificant for the Bank of England, such private bankers as Coutts & Co., Drummond & Co., or other banking-houses of credit, would answer the purpose I had in view. Nothing more would be necessary than to open with the Bank or with some private banker an account in the name of the Record Commission, in which all receipts and payments should be entered, the cheques being drawn and signed by the secretary and by one of the quorum commissioners. At the end of every year the banker's book would show the balance in hand, and the secretary would be prevented from overdrawing, by the certainty that if he did so his cheque would be dishonoured.

I should

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I should recommend to the secretary to make his drafts as much as possible for specific payments that explain themselves, as, for example, for the salaries due to individuals; for payments to editors and copyists for work performed; for tradesmen's bills, such as the King's printer's to a particular date; for monthly payments to the inspector, if such an officer be appointed; and I should advise him to have certain payments made directly to himself for small disbursements, to be entered in a private cash-book, and audited once a year with his other accounts.

Our pecuniary embarrassments have, in my opinion, arisen in a great measure from the same person acting as treasurer and secretary, in consequence of which there was no check on the disbursements of the latter so long as he had credit with the banker he employed. By the change I propose, he could not possibly expend more money than was placed at the disposal of the commission; and to prevent debts and liabilities to an indefinite amount, I would suggest that, as soon as the annual accounts are closed, the secretary should lay before the board a statement of its existing debts and liabilities, after which, and not till then, an appropriation should be made of its surplus funds for the ensuing year.

It seems to me that a constant and vigilant superintendence of the record offices, and of the persons employed by the board in repairing, binding, sorting and methodizing the records, those particularly of a miscellaneous character, and therefore less attended to, as experience has shown, by the record officers themselves, is one of the duties required from the Record Commission. But that duty cannot be effectually performed by the commissioners nor by their secretary, and therefore I propose to have it committed to an inspector, who should have no other business but what was connected with the service of the board. And to give full occupation to such a person, he might be required, when not employed in his duty as inspector, to devote his time to the arrangement of the miscellaneous records in some particular office, as in the Augmentation Office, for example, where the labour of several years will not be more than sufficient to reduce to order the unarranged records. A fit person could no doubt be found without difficulty for such an office; and if a salary, say of 400*l.* a year, were given to him, he might be debarred from engaging in any other occupation.

I am far from desiring to abolish the distinction between quorum and ordinary commissioners; but I wish that meetings of the board could be held for ordinary business without the necessity of having the presence of a quorum commissioner. It might be sufficient if the signature of a quorum commissioner were required for all drafts on the banker of the commission, and if the concurrence of a quorum commissioner were necessary for deciding on any new publication to be undertaken at the expense of the board, and for making the annual appropriation of its surplus funds for the ensuing year.

7322. *Chairman.*] It would appear from that paper that it is your opinion that the board should usually consist of a number of high official functionaries; now with what view do you recommend that?—I have stated in that paper that the object of those high official functionaries is to form a medium of communication with the Government and the House of Commons; The Speaker with the House of Commons, and one of the Secretaries of State and the Chancellor of the Exchequer with the Government. I think it would form a convenient medium of communication with those who have authority.

7323. You would confine it to those three as official persons?—Yes; I do not mean to say that I would exclude any other person; the Chancellor of the Exchequer, on account of his connexion with money; The Speaker, on account of his connexion with the House of Commons, and one or two members of Government.

7324. The Right Hon. *C. W. Williams Wynn.*] You would include also the Lord Registrar of Scotland?—Yes, because he has the custody of the records of Scotland; and the Archbishop of Canterbury, on account of his connexion with those who have ecclesiastical papers under their charge.

7325. *Chairman.*] With respect to The Speaker of the House of Commons, would you still insist upon that, because, although The Speaker of the House of Commons, he appears less likely to be useful to the commission than another member, being the only person in the House of Commons that can do nothing?—Yes; but he has the means of communicating with members of the House.

7326. The Right Hon. *C. W. Williams Wynn.*] Are you aware that Lord Colchester, as Speaker, did conduct the whole of the business of the commission in the House of Commons?—I have understood generally that Lord Colchester, who was the original projector of the commission, was the person that conducted the business chiefly while he remained Speaker; that afterwards Lord Canterbury did the same; and latterly, the present Speaker of the House of Commons has, generally speaking, attended as chairman of the board.

7327. *Chairman.*] Is the quantity of the business on which the Record Commission comes into contact with the House of Commons at all such as to require the labour of any but one member of the Government; say, for instance, the Home Secretary, who appears obviously the person in whose department it would fall?—The Home Secretary has a great deal to do; he has not much time to

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devote to any extraneous matter; and I think it is an object to have more persons than one, that if one should be unable to attend to the business there should be another; for instance, last winter The Speaker was out of town, and it was necessary to have a meeting with reference to the financial state of the board, the Chancellor of the Exchequer then agreed to attend, and his presence was very useful.

7328. The Chancellor of the Exchequer for the time being having been a member ever since the commission was formed in 1831, this is the first Chancellor of Exchequer who ever thought proper to attend, and that was in December?—Yes; it is the first time since I was a member of the commission that the Chancellor of the Exchequer has attended, and his attendance was very useful.

7329. If the Home Secretary had attended, and given the same attention to the matter, would not his attendance have been just as good?—I do not see any objection to having the choice of either of the two.

7330. Is not there always an evil in having a multiplicity of persons appointed to a particular business, because what is the business of a great many is always neglected by them?—I think it is of great advantage to be able to have the one or the other. The real business of the commission should be conducted by those persons who are not official, and for that reason I wish to have it in the power of the board to meet without the presence of a quorum commissioner, because that regulation obliges a good deal of business to be done by committees.

7331. You wish to have a person of high office to be a kind of medium of communication between the Government and the House of Commons; but would not one person do as well as three?—I should think a greater number would be more useful. There is another reason: there are many regulations that might be proposed by the board which would require to be enforced by some persons in authority. Now the ordinary commissioners would not have that advantage; for that reason I think some of the Barons of the Exchequer, the Lord Registrar of Scotland, and the Archbishop of Canterbury, would be very fit persons.

7332. For the same reason for which you would have a Baron of the Exchequer you would want a judge of the Common Pleas?—The quantity of records belonging to the Exchequer is, I understand, infinitely greater than all the others put together; but upon that point I am very little qualified to speak, not being a lawyer. I understand that the records of the King's Bench are of necessity kept in very good order, because they are constantly applied to by the suitors. The old records of the kingdom, which I consider it to be the chief part of our business to look after, are under the control of the Exchequer.

7333. Are you aware of the evidence which has been given before this Committee with respect to the records of the King's Bench and Common Pleas?—I have read part of it, but upon that point I can say nothing.

7334. When you think the presence of the Barons of the Exchequer and of the Registrar of Scotland necessary, does not that arise from their having the legal custody of the records?—Yes, and of course a control over the persons who have the actual custody.

7335. If the records were put fully under the keeping of the Record Commission, and they were the legal custodees, as well as exercising their present functions, that necessity would be obviated, would it not?—I am not competent to speak to the possibility of placing the records of the kingdom in the custody of the Record Commission; it would be a great alteration.

7336. Supposing that was done, then the necessity for the presence of those gentlemen would be superseded?—It would be a hazardous experiment to try; I do not know where you could find a Record Commission to whom you could safely trust the records of the kingdom. I should be sorry to be one of them; the responsibility is greater than I should like to incur. The Judges have charge of the particular records of their own courts at present; the Barons of the Exchequer have the custody of certain records; but to place the whole under the superintendence of half a dozen literary men, I should think an experiment more hazardous than I should be inclined to try.

7337. Are you of opinion that the safety of the records would be endangered by their being all entrusted to one person or set of persons, whose sole and peculiar business it should be to look to the records? Do you mean that they would be less safe than they are now when they are in the custody of different people; different clerks in every office having access to them, and being scattered in buildings most inconveniently in distant parts of the town?—Some of those points I am not at all qualified to form an opinion upon, and therefore I should decline answering any question

question of that sort; but at present the records are certainly scattered over a great many different repositories, and I think it would be very expedient to have them brought together in one general record office. But there has been a difficulty upon that subject, arising from the want of an Act of Parliament, in the first place, and, secondly, from the want of funds.

7338. Has the commission done anything upon the subject?—A great many meetings were held and reports made, but nothing was done effectually.

7339. Sir *Robert Inglis*.] Are you aware of the draft of an Act of Parliament which was submitted to the board, and which was to have been brought in by Lord Duncannon?—I am aware of it, and I am aware that in consequence of the change in the Government at the time, the Bill either was not brought in or was not persevered in.

7340. The object of the Bill was to prepare measures for the erection of a general record office, the expense of which was to be defrayed out of the Suitors' fund?—I know it was.

7341. To that appropriation of the Suitors' fund considerable objection was made on the part of the Accountant-general and other officers of the Court of Chancery?—Yes, but it was not on account of those objections, I believe; it was on account of a mere accident that the Bill was not brought in, or if it was brought in that it was not passed.

7342. *Chairman*.] So that this Bill, about which the commissioners had so many meetings, and which the objections of persons interested could not succeed in defeating, was defeated by a mere accident?—My impression is that it was defeated by a mere accident.

7343. Is not there another disadvantage apparent from what you have stated, from having high official persons in the commission; that is, that you are subject to the loss of them, dependant upon all the contingencies of political events. Thus, for instance, you have stated that the present Chancellor of the Exchequer having attended this commission, and been very serviceable, you would now be exposed to lose his valuable service, not on account of his disinclination to continue them, or on account of his not being found so fit for the office as you imagined him to be, but on account perhaps of an adverse vote in the House of Commons or in the House of Lords on the Irish Tithe Bill, or any other political matter that has not the slightest to do with the records. Does not that seem a great defect?—My object in having these men is on account of their being members of the Government for the time being. It is not so much Mr. Spring Rice or Lord John Russell, but it is the Chancellor of the Exchequer for the time being, and the Secretary of State for the time being.

7344. Is not it necessary, previously to determining upon any measure in the board, to ascertain to what extent the Government will be willing to incur the expense?—Before engaging in any object that will require expense, it is necessary to communicate with the Government; and it is for that reason that I wish persons in office to be ex-officio members of the board.

7345. Is not that the case with much more important offices than the Record Office: for instance, the Post Office, or any other great public department of which the head is not in the Cabinet?—The head has been sometimes in the Cabinet.

7346. Has not the Post Office at other times means of communicating with the Government?—The Postmaster, if not in the Cabinet, is intimately connected with persons in the Cabinet.

7347. Dr. *Bowring*.] Would you take them without reference to their aptitude for the office?—I would take them with reference to their official situation.

7348. *Chairman*.] You have been a general attendant at the commission?—Yes.

7349. How often have you seen the Secretary of State for the Home Department present?—Not very often, but I sometimes have.

7350. Have you ever seen Lord Melbourne?—I have.

7351. Or Lord John Russell?—Lord John Russell I have seen too.

7352. The Chancellor of the Exchequer you never saw but once, Mr. Spring Rice?—Mr. Cooper tells me that Lord Althorp came once, but I probably was not present.

7353. The Lord Clerk Registrar of Scotland?—The Lord Clerk Registrar attends very frequently.

7354. Mr. *Hawes*.] Did that Bill to which reference has been made make any

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alteration in the custody of the records?—That I cannot say; it is very possible that it might, but I cannot speak to that. The gentlemen who drew up the Bill would be better able to explain that.

7355. Dr. *Bowring.*] Were you consulted in the progress of that Bill?—I was consulted, not with reference to the provisions of the Bill, but with reference to the expediency of having all the records in one place, partly for safety and partly to save trouble to persons making researches, and for the convenience of finding anything that might be wanted.

7356. Did it propose any changes in the constitution of the board?—That Bill did not.

7357. It was merely for the concentration of the records?—For the concentration of the records, and building a record office.

7358. The Right Hon. *C. W. Williams Wynn.*] With respect to the Secretary of State being one of the commissioners, are not the great mass of the constitutional records of this kingdom the property of the Crown?—I should suppose that the records are the property of the public, and of course of the Crown, which represents the public.

7359. Must not the directions of the King upon these subjects, regularly, according to the ordinary course of the constitution, be signified through the Secretary of State?—Certainly.

7360. The Secretary of State is therefore the officer through whom the pleasure of the Crown, with respect to the custody of the records, has always hitherto been signified, is he not?—I believe so.

7361. Is not the course of the House of Commons, if they wish to recommend any measure with respect to the records of the kingdom, to address the Crown?—Certainly; at least in all the instances I have known it has been by an address to the Crown, and the pleasure of the Crown is signified to the commissioners through the Secretary of State.

7362. The Secretary of State is, then, the regular constitutional officer through whom the directions of the Crown must be signified?—I understand he is unquestionably so. In all instances I have known, where the pleasure of the Crown has been signified to the Record Commission, it has been through the Secretary of State.

7363. Is there not, therefore, an advantage in giving the commission an opportunity of requesting his attendance, and conferring with him as a member of the board, before they recommend measures, in order to ascertain whether they are such as the Crown would think fit to carry into execution?—Most assuredly.

7364. Dr. *Bowring.*] Do you consider the public records any more the property of the Crown than the funds in the Exchequer, or the ships in the dock-yard?—I am not coming here to give my political creed upon that or upon any other subject. I consider that the Crown is, with respect to most public purposes, the representative of the public, and so far the records may be called the property of the Crown; in the same manner as the army is called the King's Army, and the navy the King's Navy, so I consider the Crown to be a public trustee; that everything that is said to belong to the Crown belongs to the public, and to the King as the representative of the public.

7365. *Chairman.*] Why should there be any more immediate reference to the Crown with regard to the records, than there is with regard to the ships in the dock-yard?—There are Commissioners of Admiralty, who have very great and extensive powers with reference to the dock-yards, delegated to them by the Crown. Now, I do not apprehend that the Record Commission could ever be considered to be a body of that importance, to have the same sort of authority over the records given to them, as the Commissioners of the Admiralty have over the navy.

7366. Why not?—You could hardly compose the commission of persons that would be competent to receive such a trust.

7367. Suppose the Secretary of State had the whole thing under his management?—Then the Secretary of State would be the proper head of the Record Commission; and I see no objection, provided the Secretary of State had time for it, but he has not.

7368. Dr. *Bowring.*] If the Crown could exercise such an authority over the records as has been referred to, why was an Act of Parliament necessary for their concentration?—Because there is a vested interest in the persons entrusted with them at present, which the Crown cannot take away.

7369. Mr.

7369. Mr. *Hawes.*] But vested interest is distinct from custody?—As I am no lawyer I may use a wrong expression; but I understand that those who have the custody of the records at present, have the same right to the custody of those records that they have to a patent office, and that, without an Act of Parliament, that custody cannot be taken away.

7370. Dr. *Bowring.*] Was the object of the Act of Parliament to remunerate any loss which might be suffered by those who had a vested interest?—I cannot speak to that point. The legal members of the commission would look properly to that question.

7371. *Chairman.*] In your paper, you stated that it would be necessary for such a board to have a paid secretary?—I think a paid secretary is essentially necessary. With respect to the funds, what I mean is simply this, that the funds of the commissioners should not be in the hands of the secretary, but that they should be placed in the Bank of England, or in some respectable banking-house; they should be lodged there when paid by the Treasury; that drafts should be made in the same manner as I had been accustomed to in the management of another concern, the income of which is nearly the same with that of the Record Commission; that they should be paid by drafts directly upon the bank or bankers, and at the end of the year the bankers' book would show the balance in hand, and the drafts made by the secretary. I should propose that one of the quorum commissioners be made to sign the draft along with the secretary, and that at the end of every year those accounts should be entirely cleared; and the surplus being then known, that the board should meet for the purpose of appropriating that surplus for the ensuing year.

7372. You say they ought to have a paid secretary?—A paid secretary, but not a paid treasurer.

7373. You say that the secretary being paid, and the members not being paid, a great deal of business would be left to the secretary?—I think I have stated in detail what I wished to have left to the secretary, which is not so much by a great deal as what, from the nature of our present constitution, has been hitherto left to the secretary. I propose that the secretary should not hold the money; I propose that his cheques should be countersigned by one of the quorum commissioners; I propose that he should make preliminary arrangements with editors; that those editors should then appear before the commissioners, and that written terms should be prepared; and I propose that there should be another paid person, whose business it should be to attend minutely to the different record offices, as inspector of records, or whatever name you give him: that I consider the greatest alteration I have suggested.

7374. Dr. *Bowring.*] Would not the duties of such a secretary require the whole of his time and attention?—I think not. I am of opinion that the inspector ought to devote the whole of his time to the service of the board, but then he might be a person of an inferior sort, of common plain understanding, with a knowledge of records, and the character of being diligent and faithful. The secretary ought to be a man of higher qualifications.

7375. Right Hon. *C. W. Williams Wynn.*] Do you apprehend that it would or would not be an improvement in the board to introduce salaried commissioners?—I have expressed very strongly my opinion to the contrary, and I would rather refer to the paper I have given in than be examined further upon that subject.

7376. Are not the Judges the legal and regular keepers of the records in their respective courts?—I believe they are; I have always understood so.

7377. Do not you apprehend that there would be considerable inconvenience in subtracting those records entirely from under their authority?—That is a question that a person practically conversant with law could answer better than I can do. My attention has been chiefly directed to historical pursuits, and to antiquarian pursuits connected with constitutional history; but as to the practice of the law, I know nothing of it whatever: and if the board had been confined to such objects, I should never have allowed myself to be made a member of it.

7378. As far as you have observed in the commission, have any of the number devoted their attention particularly to the legal records, and to the custody of them for legal purposes?—The Judges have very frequently been present, and expressed their opinions upon various subjects.

7379. When you say very frequently, do you mean that at most meetings there was a Judge present?—I should not say at most meetings, but Mr. Justice

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Bosanquet has been very frequently there, and Baron Parke, and the late Master of the Rolls was continually there, and the present Master of the Rolls once, and the Lord Clerk Registrar of Scotland very frequently.

7380. *Chairman.*] With the advantages of the attendance of those Judges constantly turning their minds to making the records accessible to legal inquirers, can you inform the Committee what the state of the records has been for legal researches?—No, I cannot; I have had no occasion to make inquiry as to legal researches.

7381. You do not think it necessary, as a commissioner, to inquire into that matter?—No; I considered myself chiefly called upon to attend to those points that I knew something of: for example, any question connected with the history of England, with the Anglo-Saxon Laws, or the Parliamentary Writs, or any of the papers illustrative of the ancient constitution of the country; but not at all the records connected with legal inquiries.

7382. You say that some of the works published by the commission are well selected, and that you have found them useful?—Several of them I have found very useful.

7383. When you were asked as to the selection, you said that that question, with reference to the propriety of the selection, must be answered with regard to those which remain unprinted, of which you said that you knew nothing?—Of which I know not a great deal: for instance, there is one very valuable collection and which has not been printed, the Pipe Rolls, which I consider to form the most valuable materials for a history of England during the whole of the twelfth century; only one has been published.

7384. Have those publications taken place since you have been a commissioner?—The latter part of those publications which have been made during the time, I have approved of very highly; for instance, I approved very highly of the preservation of the records of the Curia Regis.

7385. Will you explain the phrase which you used, that you could not say whether they were well selected with reference to those which remain unprinted, and which you, a commissioner, knew nothing of, or knew very little of?—I should say that I know very little of a work that I never considered with a considerable degree of attention. I do know that the Pipe Rolls are very valuable; but I must confess that, except the Pipe Roll of Stephen, I know nothing of the Pipe Rolls but through Maddox.

7386. How is it that, as a commissioner, you have been allowing works to be selected for printing and publication, not knowing whether or not there were more valuable works?—It is to be considered that two persons may have different opinions as to the comparative value of different publications: the publications that were ordered to be printed I know to be valuable; whether they are more or less valuable than others, is a matter of opinion upon which I might have one notion, and another person another notion.

7387. But not knowing what was in the office, you could hardly form an opinion upon that subject?—I knew from Maddox that a great deal of valuable matter was to be got from the Pipe Rolls; and perhaps a particular record might be preferred, because there was a person qualified to edit it.

7388. Then it was published for the sake of the editor?—No; but because there was an editor qualified to perform the duty, and another editor did not present himself qualified for another work. I only put that as an hypothetical case. It would be very difficult to make a catalogue of all the unpublished records, and to class them according to their value; and no two men would agree upon the subject.

7389. Would there not be the more chance of coming to a right conclusion upon the subject if they knew the facts first; could not they form a better opinion as to the order in which they should be printed if they knew what works there were that might be printed?—If two works are presented to you for a comparison, if you have both before you, you can more easily decide.

7390. The commission seem to have been in this case, that they had one work before them, but there were several others that were not before them?—It might be to a certain extent, but all human works are progressive; we published those which we could publish at the time with advantage, and we published none that we did not consider to be good and fit to be published; there might be others behind that other persons might consider still more valuable. If you are satisfied that a publication is a good one, it would be idle to delay the publication till

till you are satisfied that there is none better. If what you are about to publish is good, you ought to publish it without waiting till you have ascertained that there is not something else that may possibly turn out to be better.

7391. How do you use the term good, except comparatively?—Positively good.

7392. Is there any record in the world which would be positively and utterly useless to everybody in the whole world to publish?—I should think there might be some; but I consider that they were not only of some use, but of very considerable use; for instance, the Pipe Rolls and the Curia Regis. I consider that those Scottish documents that were perishing in the Chapter House, and which have been rescued from destruction, are not only of some use, but of very great use.

7393. Having a limited sum of money to expend in the operations of the commission, do not you think that the commission before publishing were bound to institute some inquiry into the treasures in their possession, to know what ought first to be given to the public?—I believe, generally speaking, that was done; I was very rarely the person that selected.

7394. Who was the person?—I should think that the chief persons were, in the first instance Lord Brougham, and afterwards Lord Canterbury; the persons who acted as chairmen I consider to be the persons who selected the particular publications.

7395. Do you mean that those publications had been going on upon the literary responsibility of Lord Brougham and Lord Canterbury?—The board as a body is responsible; but I believe they were the persons who made the selection; I always imagined so.

7396. Sir *Robert Inglis.*] Was not it the case that in every instance a report was made to the board upon the subject of publishing, for instance, the Pipe Rolls, and was it not upon a decision of the board that the work was finally adopted and undertaken?—Certainly; and it was generally suggested by the chairman.

7397. The Right Hon. *C. W. Williams Wynn.*] Laid before the board, with a specimen?—Often with a specimen, and often with reasons.

7398. *Chairman.*] And with a full estimate of the expense?—A rough estimate of the expense was always given.

7399. Was not it very rough?—I think not. Generally speaking, the publications of the present board have been within the limits assigned, except in some few instances where great alterations were made by the editors in the course of publication, which could not have been foreseen.

7400. You say that the works published by the Record Commission have been of great utility to writers?—I should suppose so; it is the fault of the writers if they have not profited by them.

7401. Do you know whether writers have profited by them?—I cannot say that. I can say, that in the slight inquiries I have made into English history I have found great advantage, and I should have been thankful 25 years ago to have been furnished with those publications.

7402. In 1830, which is six years ago, you published an Historical Essay upon the rise and growth of the Royal Prerogative?—I did.

7403. Is there in that whole volume any reference to any of the record publications, except the Fœdera, or to the Parliamentary Writs?—I do not know that there is; but before that time I published many things in the Edinburgh Review, in which there are many references to the works of the old commission, particularly upon one point, which I endeavoured to establish in opposition to Blackstone and all the writers at that time, which was, that the original electors of the knights of the shire were not merely tenants in chief, but all freeholders; and I thought I found complete evidence of that fact in the works of the old Record Commission.

7404. But in this work you have not referred to those publications?—The questions upon which I had been engaged were of a nature which did not require such reference.

7405. Should you not have been enlightened by those publications, as to the judicial powers of the King?—In the general way in which I viewed the subject, I do not think I should have been profited much.

7406. In 1833 you published a vindication of the ancient independence of Scotland, and in that you referred only to the Fœdera?—In that publication I

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was able to expose an important erasure in a record of Edw. 1, which was made known to me as a Record Commissioner.

7407. We do not inquire what advantages you may have derived for your work as a Record Commissioner; but how do you account for this, that with the exception of these references to the Fœdera in that work, you have overlooked all the valuable publications of the Record Commission?—There are few records in the kingdom that relate to so early a period as that of which I have treated. There are no records in the times of the Saxons; but I have repeatedly referred to the Saxon laws.

7408. The question referred to your work on the ancient independence of Scotland?—Before the time of Edward 1 there were no records I could have referred to, except those published in the Fœdera. Some have been discovered since; those documents, I mean, which Sir Francis Palgrave has rescued from destruction in the Chapter-house, and which, I conceive, alter entirely the complexion of that portion of our history. I should have been glad to have seen them before I published, not that anything they contain would have altered my conclusions upon the main subject.

7409. You have spoken of the general influence of the record publications upon the study of history?—I do not know what influence they may have had, but I say they give opportunities of information to those who engage in historical inquiries, which they have not had before. Whether they will avail themselves of it I cannot say; I have no doubt they will. For instance, supposing any person at present was about to compose a history of England during a very important period, from the grant of Magna Charta to the time of Edward 1; if the Close Rolls which are begun were finished, and the Patent Rolls and the Pipe Rolls, I am persuaded that he would be able to give a totally different view of English history during one of its darkest ages.

7410. Are those works of the commission suspended?—They are suspended for want of money.

7411. Then it seems that those works are the most useful that the commission have published, and that those were the works that were first suspended when you found your income of 10,000 *l.* a year not sufficient for the various purposes for which you required it?—We have stopped all publications, I believe, at present.

7412. Being a little in want of money, you naturally stopped first those works which are the most important to the country?—The expenses would have been so great in going on, that we were compelled to stop. We began with a very great debt, and that debt has been hanging over our heads ever since. We have spent about as much money as we have received, and we have about as much debt as when we began.

7413. Have you not more?—It may be a little more, but a great portion of the 10,000 *l.* a year goes to mending and repairing the records.

7414. A larger portion?—I believe a pretty considerable portion in salaries to the persons so employed.

7415. Will you state to the Committee one important point in history upon which more accurate opinions have been taken by later historians, with the exception of Sir Francis Palgrave's works, owing to anything found in the works published by the Record Commission?—I should say that Dr. Lingard has often profited by them.

7416. Has he ever quoted them?—I think he has.

7417. The question always excludes the catalogues to which Lingard and other historians refer, or rather the manuscripts to which those catalogues refer?—Dr. Lingard may have come up to London.

7418. You cannot mention any point upon which Dr. Lingard has got any information from these publications?—It is impossible for me to say. I have read most parts of his work with great attention, but not for the purpose of ascertaining that point.

7419. If he has used those works, has he not acted very ungenerously to the Record Commission, by not quoting their works?—I cannot say whether he quotes their works; I think it is very likely he has.

7420. Right Hon. *C. W. Williams Wynn.*] You were a member of the committee upon the publication of the Parliamentary Writs, which reported in favour of their continuance?—Yes.

7421. Do you retain that opinion at present as to the utility of that work?—I think

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I think no person can doubt the utility and value of the Parliamentary Writs. The only objection to it I have ever heard stated was, the great expense attending the publication of those records. After a good deal of deliberation upon that subject, it was agreed that the printing should go on till the close of the reign of Edward the Second; and that with regard to the reign of Edward the Third, the same apparatus, as Sir Francis Palgrave called it, should be continued and should remain in manuscript; but no person can have made use of the apparatus without seeing the great convenience and the great advantage attending it.

7422. It has been stated to the Committee that that publication is wholly useless?—I should think that a most extraordinary opinion; I should think any person writing the History of Edward the First and Edward the Second, would find it very useful. I have used it occasionally in Edward the Second, with reference to the civil wars in which the Earl of Lancaster was engaged, and I have found it of great advantage. The only objection to it was the expense and the time. I have understood that the printing of it was stopped, but that a transcript was made, and intended to be made accessible to all inquirers in the same manner as if it were printed.

7423. Mr. *Pusey.*] You have already mentioned a series of records, the publication of which will throw light upon an obscure part of our history. Are there any other portions of our early history which would be elucidated by a publication of some of the records?—Yes; with respect to the whole period before the reign of Edward the First, the Close Rolls and the Patent Rolls will throw considerable light upon the history of that period. The Pipe Rolls I believe are almost the only documents we have of the reign of Henry the Second and Richard the First, till we come to the fragments that remain of the Curia Regis. After the year 1200 we have regular rolls from that time forward.

7424. Are you of opinion that the publication of the work entitled "Materials for the History of Britain," would be of material service to any future historian?—There cannot be any question about it; provided there is a complete collection and a careful collation of the various works with the best sources existing, with proper notes for geography, chronology, and so on, and proper indexes, it would be a work of great value indeed; and assisted by such materials as the record offices furnish, it would enable another Hume to write a ten-times better History of England than he has done.

7425. You do not consider that the present histories of this country are such as should entirely satisfy us, and prevent any exertion towards obtaining more accurate histories?—Certainly not; partly from the deficiency of materials which may be supplied from the record offices, and also because our history has not undergone those preparatory steps which are necessary for a good history of the country. Such a man as Hume could not employ himself in entering into minute inquiries in history. If our Society of Antiquaries had acted upon the principle of the Academy of Inscriptions and Belle Lettres in France, they might have had a great many more valuable dissertations on detached portions of history, which would have laid the foundation for some man of genius to write a good history of the country, which it is impossible that he can do at present, from the want of materials.

7426. Suppose a man of competent genius were to undertake the task, do you consider that the poverty of good materials is such as would almost preclude his completing the task of a good history of England?—He could not write an accurate history of England. He might write a very valuable work; he might intersperse his work with a great deal of philosophical and political knowledge, and introduce matter which would be very valuable; but an accurate history of the country he could not write at present, nor will it be possible for any man to do it till the materials have been collected, and have been analyzed by such persons as are qualified to write dissertations upon particular topics or particular periods, which at last will form a mass of information that will enable a man of genius, if such a person should rise again, to write a good history.

7427. Can you state anything about the foreign collections that have been making?—I know very little about them.

7428. Do you know what they have cost?—I do not: whether all the articles collected are useful or not I cannot say, but I am confident that we were right in availing ourselves of the opportunity that the peace of Europe afforded of collecting materials from foreign countries. I knew that there were valuable materials in Brussels and in Portugal, and in various parts of the world, and I should

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have thought that we were failing in our duty if we had not taken every opportunity to collect whatever could throw light upon the history of the country, its foreign relations, its literature and its state of civilization.

7429. Do you know with what care the transcripts were made?—I cannot say; you must trust in a great degree to the judgment of those you employ; you must use the best means you can; you would not have had the Record Commissioners go and examine those repositories themselves; they must employ the persons upon the spot that are recommended to them. I had a letter the other day from Copenhagen, in which I find that the Danish government is very willing to open to the Government of Britain the archives of Denmark, to extract anything that may be wanted for the history of England, as well as to furnish anything that may be found useful in the Northern Sagas.

7430. Do you know anything of the appendices that have been prepared for the report?—I have seen them, when Mr. Protheroe and Mr. Hallam and myself were employed in auditing the secretary's accounts; but I have never examined them in detail.

Mr. Serjeant *Spankie*, called in; and Examined.

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7431. Sir *Robert Inglis*.] ARE you acquainted generally with the publications which have issued under the authority of the Record Commission?—In a certain way. I have not devoted much time to the study of the records, either manuscript or printed; but occasionally I have referred to them.

7432. Have those publications of the Record Commission, which relate to the value of ecclesiastical property, afforded much assistance to persons concerned in tithe causes?—I think they have; they are in frequent reference, particularly the Valor of Henry the 8th, which I have had occasion to see referred to in causes in which I have been engaged.

7433. *Chairman*.] Did you ever refer to it yourself?—I have seen it used in evidence repeatedly.

7434. Did you ever refer to it yourself in any case in which you were engaged?—Yes; there was a case, with respect to the tithes of Kingston, in which we had occasion to refer to it; a case tried not long ago before Lord Lyndhurst; but those who are engaged in tithe causes in the Exchequer will tell you that it is often referred to there.

7435. Sir *Robert Inglis*.] One of the recommendations of the Select Committee on Public Records in 1800, not yet executed by the Record Commission, is the publication of an accurate edition of the ancient law books, such as Bracton and Fleta; do you not think that the publication of such a work from the most authentic sources is desirable?—I think it very desirable, because I think the turn which the studies of mankind are taking, and the style of reading which is becoming more popular, is likely to direct them from reading those old and disagreeable books, and that the booksellers will not republish them. I have those books, but I believe not one in 50 of the profession has.

7436. *Chairman*.] You would propose to divert men's studies into a better channel, by inducing them to read those books; do you think that, by publishing those books at the public expense, you would alter the whole tendency of the reading public?—No; I think you would create a better class of lawyers; that is, those who would not devote themselves merely to those studies which lead to gain. Some men, having an opportunity of recurring to those works, would add to the skill of the tradesman the science which is likely to adorn and elevate the profession of the law, which is likely to degenerate into a trade.

7437. Do you think that the publication of a few such works as those at the public expense, which, existing already, are available to diligent students, would have the effect of checking that degeneracy?—I think the facilities of good and evil have a considerable effect.

7438. Do you think that there would be one lawyer in a hundred, the current of whose studies would be changed by it?—I am not able to answer for that; I think a remnant of them would take refuge in that species of study, and that in doing so a certain number would acquire an accurate knowledge of the ancient law, which would be diffused; and you would have some eminent lawyers who had read those books.

7439. Are there not lawyers that have read those books now?—There have been lawyers, I believe, but few.

7440. Do you suppose there is a lawyer in London that wants to read those books who cannot get a copy?—I think, if he sat about it with what Dr. Johnson called a dogged determination to read them, he might get them; but some times the mind is in a state of fluctuation, and a little difficulty will turn the scale; and the facility of reading them in correct editions might induce persons to read them that do not now take the trouble.

7441. Sir *Robert Inglis.*] Does the same answer apply to a complete and authentic edition of the Year Books?—I think the Year Books would deserve to be published, not altogether for the utility which lawyers might derive from them, but I think they constitute part of the history of English law; and if they had them in a good edition, persons might occasionally refer to them, and pick out of them all that is really useful; but at the same time they would be tracing the history of the law from its earliest state to the perfect state in which it is supposed to be, or in which it will be by-and-bye.

7442. Do you think that such works as authentic editions of the Statutes of the Realm, or the Acts of Scotland, could have been undertaken without aid from the State?—Certainly not; it is a vast expense to a young lawyer to purchase the current trash of the day. The reports issuing from the courts are a very great expense, and a young lawyer has little to spare for works of less immediate utility or necessity.

7443. With your view of the expediency of the publication of the works to which your attention was first directed, and which are yet unexecuted, and of those which have been executed, regarding both as alike unfavourable in the way of private speculation, is it your opinion that the undertaking of such works is a justifiable act on the part of the Government, in respect of the expenditure of public money?—Quite so; because I take it that it is the duty, in some degree, of the Government to provide for those things that private undertakings will not reach; and that though a small degree of utility may seem to be derived, still as there is an utility worth having, the public devotes a certain extra sum which is well bestowed, because it secures something to the public which is upon the whole worth preserving.

7444. Have you paid any attention to the question, how far a knowledge of the Anglo-Saxon laws, and of the ancient Welsh laws, may be needful for the perfect understanding of the ancient history of the law of England?—I should think, with reference particularly to the Anglo-Saxon, that a knowledge of those laws would be highly useful towards keeping up and perfecting our knowledge of the existing principles of our constitution and laws, because there is no doubt that out of the Saxon laws much has been transfused into the existing system of our laws; and that you would, by turning attention to that, be able to trace either the mechanical form or the spirit that actuates that mass; and you would contribute very considerably to a knowledge of the principles of English law, and of many things that exist, you would find the origin in those times. I apprehend that there is much in our existing institutions that some ascribe to the Romans, and some to various sets of conquerors; but there has been a certain stream running down from ancient times to the present, with which various intermixtures have taken place, which are not now traced or appropriated very distinctly.

7445. Is it your opinion that a complete and accurate edition of the Anglo-Saxon laws would be desirable, and would be worthy the outlay of public money?—Yes.

7446. Looking at the great mass of publications which have issued under the Record Commission, do you or do you not consider that they are creditable to the country, and that it is or is not expedient to continue those publications?—I think it extremely so.

7447. *Chairman.*] Do you mean to vouch for their good execution and selection?—That would be a separate question; I am speaking of the general character of such publications; I think they are creditable to the country. It is not the question whether they might be more perfect; but answering the question generally, I should say that they are creditable.

7448. Do you speak from specific knowledge of those works?—I have occasionally looked into them, and I should say, that though you must read a vast deal that would be tiresome reading, yet you would at last get something that would be useful; and men devoting their attention to these publications, will discover usefulness there.

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7449. Suppose you were told that any person had taken a volume published by the commission, for instance, the Close Rolls and the Patent Rolls, and that he had discovered that there were as many mistakes as there were words accurately printed, could you say whether that assertion was accurate or not?—No; because it would require a vast deal of time to ascertain the accuracy of it.

7450. Do you know whether there are any works among those published by the commission of which anything of that kind could not be said?—I have read a few pages in some of the works, but I do not know whether they are accurate or not.

7451. Sir *Robert Inglis.*] Does not the publication of calendars, indices and catalogues, adapted to the records of most frequent use for legal purposes, make those records more readily accessible, and thereby tend to the more effectual administration of justice?—I think those are infinitely useful; they are finger-posts; they lead people to that which is obscurely lodged, and which they can hardly find out; the more ample those indices, and the better executed, the more convenient.

7452. In those, accuracy would be essential?—Accuracy in an index is a very important thing, or else you are directed out of your way.

7453. *Chairman.*] Do you know whether the calendars published by the commission are accurate?—I am not able to state that.

7454. Then, when you stated that in your opinion the works were very creditable, you gave that opinion without having paid the slightest attention to their accuracy or correspondence with the originals?—No man can answer the question, if it is meant that he should collate the publication with the original.

7455. But we have had some witnesses who have collated parts, two or three pages?—I never collated any of the books.

7456. Sir *Robert Inglis.*] Have you paid any attention to the subject of the erection of a general repository for the preservation of the more ancient records, and if so, will you state any reasons which occur for or against such a scheme?—I should think that, upon the principle of centralization, it would be a very good thing to have those things altogether, that one might find them out without traversing the whole of the town, from the Tower to the Rolls Chapel, and from the Rolls Chapel to the Chapter House; so that, as the theatres are conveniently situated by being together, and inviting people, the study of the records might be rendered more tolerable by the juxta-position of the different places.

7457. *Chairman.*] Then you think that the study of the records at present is not tolerable?—I think it is disagreeable; but these are matters of taste, and they become agreeable, connected with an object of pursuit.

7458. Mr. *Pusey.*] Do you think it is necessary to constitute a board of salaried commissioners for the direction and control of these works, or that an honorary board, consisting of eminent statesmen, lawyers and military men, is sufficient for the attainment of the objects of the commission?—I have seen what Mr Allen has stated upon that subject, and it appears to me that a salaried board is by no means necessary.

7459. *Chairman.*] Have you paid any attention to the working of the present board, which is not salaried?—No; I have acquired the information I have got upon that subject by perusing what Mr. Allen, Mr. Hallam, and my Lord Brougham and other commissioners have stated; I do not know the working expressly, but I derived from those sources some general view of the working.

7460. What is your general view of the mode in which the present commission has superintended its expenditure?—I gather from something that appears stated in Lord Brougham's letter, that there has been a defect in that respect; but those are matters of slight detail, to be corrected by persons of very inferior capacity; but it is right they should be kept in their proper place. I conceive that the proper distribution of the finances, and a careful attention to the manner in which expense is to be incurred, and to the manner in which it has been incurred, is essential to any well administered board.

7461. Can you state whether you approve of the mode which the board has followed in selecting works for printing, and securing competent editors, and in having those works printed in the most cheap and perfect form?—I am wholly unacquainted with that; but the question addressed to me was, whether a board, constituted as this is, is adequate to superintend these various objects, which are within the province of the board, and I apprehend that the board might be very well qualified for the province of control and superintendence, and direction as

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to what things should be undertaken; but under that, there must be an efficient sub-administration for all the various purposes referred to.

7462. Is there yet an efficient sub-administration?—That I cannot tell, but there seems nothing to hinder it.

7463. Then this also is an abstract opinion with reference to the working of a salaried or of an unsalaried board, and it is so abstract, that, having the working of this unsalaried board before your eyes, you have never inquired how it has worked?—I think that is not a fair inference from my answer.

7464. Can you say, and can you stake your reputation upon it, that it has been a board that has managed its affairs economically, as far as regards editing?—That is rather too large a question for me to profess to stake my reputation upon it. I should not be prepared to give an opinion upon a subject with the particulars of which I am unacquainted, but I am quite of opinion that it would degenerate if made a salaried board.

7465. Sir *Charles Lemon.*] You spoke of a person whose supposed duty it should be to look after the records; under what title should he hold his office?—If he is to be a general keeper of all the records, it must be a person who would have a pretty extensive duty.

7466. You do not speak of that with reference to his being one of the salaried commissioners?—I conceive that the efficient superintendent must be a person that would devote his time to it, and have a salary; and whether you call that person superintendent or secretary, I apprehend that under that board of control there would be an executive paid by salary, in order to conduct the whole detail of the machine; such a board could give general directions as to what was to be executed within certain periods.

7467. Then you contemplate at least the existence of two salaried persons?—Probably more; I should think there must be persons well versed in the details of managing and sorting, but I should say that one general superintendent might do a great deal with one or two inferior assistants; everything would proceed, I apprehend, on prepared estimates, both with respect to the execution of the work and the employment of parties. It would therefore be a periodical payment to tradesmen for executing, to servants for salaries, and to workmen for the work upon which they were engaged; all of which should be upon estimate beforehand, and accurately controlled afterwards.

7468. This person who is to superintend the records must be invested with the authority of a commissioner?—He must be invested with the authority of a commissioner to conduct the ordinary detail, but he would not be the person to say, This work shall be published, or that work shall be published; he would superintend the execution of it, but the direction would not emanate from him.

7469. Mr. *Villiers.*] But there ought to be competent and responsible persons to execute the works?—There ought to be a certain number.

7470. You do not object to the principle of salaried men having duties to perform?—No; it seems to me indispensable.

7471. Dr. *Bowring.*] And you think that would occupy the whole time and attention of such a superintendent?—It seems to me that it would; but of that I am not sure, because I am not aware of the extent of the records; if they were in one place, the superintendence would be more easy.

7472. Sir *Robert H. Inglis.*] In the answer which you have given, do you contemplate the employment of gentlemen as editors of different works, or as exercising a mere superintendence of the records themselves?—I think in some degree that the board ought to select the editors.

7473. Do you think that the board ought to name any member of its own body to the office of an editor?—I think that is a matter upon which difference of opinion will arise. I should say they had better not if they could find another man of equal talent; because if their own appointee, being one of their own colleagues, was employed, it would create suspicion and jealousy, unless he was of acknowledged superiority.

7474. Mr. *Hawes.*] Are the Committee to understand, that with regard to the accuracy and typographical correctness of the publications of the board, and the discretion which the commissioners have exercised in the expenditure of the funds entrusted to them, you are wholly unable to give any information?—I can give no precise answer upon that, because that is a matter of detailed inquiry. If my attention had been directed to it, I should have taken the trouble to collate striking passages.

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7475. Dr. *Bowring.*] Do you give any opinion as to the character of the records which have been selected from the whole mass of the records?—No, I cannot do that.

Sir *Thomas Phillips*, Bart., called in; and Examined.

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7476. Sir *Robert Inglis.*] YOU have long been engaged in archæological pursuits, and particularly in the collection of historical manuscripts, of which you have a large collection?—Yes.

7477. You have also been engaged in topographical researches?—I have.

7478. And under those circumstances, you have paid so much attention to the subject, and to the means of carrying on works connected with it, as to be able to give an opinion upon the state of the national archives and the records therein?—They are absolutely necessary for topographers; it is impossible to write a history of any county, or any topographical work, without a knowledge of the archives.

7479. Mr. *Hawes.*] You are speaking of the contents of the record offices?—Yes.

7480. Sir *Robert Inglis.*] You regard them of the highest importance in your own particular studies and pursuits?—Undoubtedly.

7481. Are not all topographical works of any value based principally upon the information contained in those records?—They are valuable with regard to local history; with regard to general history they are not of such particular value, except those which bear chiefly upon general history, as the Fœdera and Close Rolls, and summons to attend the King in his wars.

7482. Do you think that those records can be made sufficiently available for the purposes of the historian and the topographer, shut up as the originals must necessarily be in offices, where, separated widely from each other, they are not at all times accessible, or not accessible except on payment of fees?—The topographers cannot perform their works accurately unless they have the documents before them, and those they cannot have without payment of fees, unless they are printed by the commissioners or others.

7483. *Chairman.*] Owing to the bad distribution of the record offices as one cause?—Not so much that as on account of the high fees.

7484. Also owing to the bad distribution of the records in the different offices?—That would cause the additional expense of driving from one office to the other, and therefore inconvenience and loss of time.

7485. Is it also another source of inconvenience to topographers the want of arrangement of many of those records?—Undoubtedly.

7486. Is not the want of indexes and catalogues a great impediment to topographers?—Undoubtedly.

7487. And the high fees in certain offices?—In certain offices.

7488. Sir *Robert Inglis.*] It has been stated in evidence, that in some offices no fees are charged to gentlemen engaged in pursuits purely literary?—Yes.

7489. *Chairman.*] The present state of the records, the Committee are to understand from you, is subject to these complaints from topographers: that they are badly distributed; that the records are ill arranged; that little information is supplied by indexes and catalogues; and that the fees are very high in some of the offices?—With regard to the bad distribution, I think that the inconvenience is very trifling; I mean the distance between one office and another. The want of indexes is undoubtedly very much felt.

7490. Is not the present state of the records liable to all those objections?—Yes, in some cases.

7491. Sir *Robert Inglis.*] Do you consider that the distribution of the record offices in or about London is a considerable practical inconvenience to the literary inquirer, or to persons who make searches for legal purposes?—To both; but the inconvenience of course would be the greatest to a person who has not much money to spend in coach-hire.

7492. With respect to the arrangement of the records in offices separately, do you consider that it is or is not satisfactory in the different offices which will now be named to you; in the first place, in the Tower?—I am not able to state anything with regard to the Tower records, except the Inquisitiones Post Mortem; those are all that I have seen. The two first volumes of the calendar are not perfectly accurate, a manor in one instance I believe being called a mill, or *vice versâ*.

7493. In the second place, with respect to the Chapter House?—I have only examined a few of the records there. There are very few indexes, so far as I know. The calendar of the Pedes Finium, from Henry the 8th, is very good.

7494. Have you observed any considerable improvements in the Chapter House within the last few years, and if so, or if otherwise, state from what period?—I have not had the facility of admission within the last two or three years that I had formerly, so that I know nothing of what is going forward.

7495. Under what circumstances had you that facility formerly, and have you lost such facility now?—Since Mr. Palgrave's appointment I have not had that facility.

7496. Was the facility previously enjoyed by you the result of a personal intimacy with the keeper?—It probably was; but I believe Mr. Caley frequently allowed respectable persons, whom he knew to be engaged in topography, to consult the records gratuitously.

7497. *Chairman.*] Then the facility enjoyed at the offices depends on the intimacy enjoyed by the keeper of the office?—It did formerly, with regard to myself.

7498. When you say it did formerly, how is that to be understood; because you say that formerly you had access from your intimacy with the keeper, and that now you have less free access on account of the want of intimacy?—I understood that Sir Francis Palgrave objected to persons coming in without paying fees.

7499. Then, at the present time, the facilities of access depend upon the intimacy with the keeper?—Probably not; I am not aware; but possibly Sir Francis Palgrave refuses his intimate friends.

7500. Sir *Robert Inglis.*] Has Sir Francis Palgrave any interest in the fees received?—I do not know; I have not paid any attention to the office since the last arrangement.

7501. You are not aware whether the fees are carried to a fee-fund?—I think I have been informed that they were.

7502. Mr. *Hawes.*] Has any reason been assigned by Sir Francis Palgrave for declining to give you the facility you were accustomed to enjoy before?—Not that I recollect.

7503. Sir *Robert Inglis.*] Are you aware of the total amount of fees received at the Chapter House?—No.

7504. With respect to the Augmentation Office; in what state are the records, with respect to their arrangement and condition?—I have seen those lately; they appear to have been classed in a much more accessible way than formerly; they are in boxes, and the boxes are labelled.

7505. In what state are the records at the Rolls?—I have only seen the rolls which are behind the wainscot of the chapel, and they appear to be in very good order.

7506. Have you found such facility of access to them as you could desire?—I found the greatest difficulty, on account of the extremely high fees.

7507. Are you aware whether such fees are carried to the fee-fund, or received by the individual as his income?—I have been informed that the fees are the sole remuneration of the record-keeper.

7508. Under such circumstances do you consider that a stranger cannot expect greater facilities than he enjoys in applying for the examination of a document in a record office so constituted?—Of course he cannot.

7509. Have you ever been detained in inquiries at the Rolls by any difficulty on the part of the officer in producing a document which you desired to see, you having given him a note of the instrument in question?—I do not recollect precisely, but I think the document has always been produced immediately.

7510. In point of fact, whatever inadequacy of arrangement might appear to the eye of a stranger, the keeper himself is so cognizant of the locality as to be able to produce the document which you require?—So far as I know; but I have consulted it very seldom, on account of the fees.

7511. *Chairman.*] If it has been stated to this Committee by persons that have made searches, that for those searches it is necessary for the keeper himself to look through three indexes, and that sometimes he does not find the information in them after all, though the record is in the office, can you say whether that is a correct statement or not?—I do not know; he showed me only one index, to the best of my recollection.

Sir *T. Phillips*, Bart.

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7512. Sir *Robert Inglis.*] You have referred to the fees charged in different offices; as, of course, the originals can only be consulted in the offices, do you consider that the publication of a connected series of records, such as the Close and Patent and Pipe Rolls, is expedient?—Undoubtedly; not only for their utility to the topographer, but for the sake of preserving the historical information contained in the record.

7513. Do you consider that the publication of calendars and indexes of the records in the different offices is also expedient?—Certainly, if you do not print the record itself; if you print the record, the calendar is not necessary for the public.

7514. Do you consider that the publication, either of an entire series of records or of indexes, is likely, in the present state of the literature of the country, to be so profitable as to encourage any bookseller, or any associated booksellers, to undertake the work?—No, I do not.

7515. With your view, then, of the intrinsic utility of the works, and the improbability of their being undertaken as a private speculation by others, is it your opinion that the publication of such works might fitly have been undertaken by the Government at the expenditure of public money?—I think it is absolutely necessary the Government should undertake it; and if Government would continue to print quietly and more economically for a few years, there would be no more records to print.

7516. Is that opinion given upon a general view of the publications which have issued under the authority of the Record Commission, with or without a detailed examination of the accuracy of particular works?—Upon a general view; for I think that the works have not formerly been sufficiently examined and collated with the originals by the editors.

7517. Is it your opinion, then, that the publication as a whole, looking at the great mass of the works which have issued from the press during the last 35 years, is creditable in point of selection, whatever may be the defect of execution in particular works?—It is difficult to answer that question. They are all serviceable so far as they go, when they are accurate, in their particular line. There might probably have been others more serviceable: in fact, the Pipe Rolls I should have preferred being printed before some of the others; but whatever has been printed would have been of the utmost value, provided it had been done accurately.

7518. From the attention which you have bestowed upon archæological literature, would you have considered that the publication of an entire series of records ought to have been the first object among the publications of the board, or a series of calendars and catalogues?—An entire series of records first. There were catalogues perfect at the commencement of the commission, and those might have been immediately printed, and the records indexed in them themselves afterwards; but upon the whole, I should say, print the records, and let the public make the indexes if they want them.

7519. Are you aware whether, in any degree, that order has been observed?—I have not paid attention to that circumstance.

7520. The originals of the works in question could, if unpublished, of course have been used by none but persons actually consulting them in the various offices?—None but persons capable of reading them.

7521. In order to make the contents of those records sufficiently known to historical inquirers, it is, in your judgment, necessary to call in the aid of the press?—Certainly.

7522. So as to present the works to historical inquirers, either by placing them in repositories in the country within their reach, or by enabling such inquirers to purchase the volumes at a reasonable price?—Yes; and the volumes ought to be priced very low, because the public have been already taxed to pay for their production.

7523. You consider it a proper devotion of a portion of the national resources to expend it in the publication of some of those records?—I think if they spent 1,000,000*l.* per annum it would not be too much, until all were printed.

7524. From your knowledge of the national records, do you consider that the works selected for publication have, in the main, been such as ought to have the precedence?—That I can scarcely answer, because I do not actually know the nature of all the records.

7525. Are you satisfied with those that have been published?—Yes, I am, with

with those which are accurate. I have found those very useful which are correctly edited. Sir *T. Phillips*, Bart.

1 July 1836.

7526. Can you specify any which you would have desired to see published in preference to those which are now published, or are in course of publication?—The Pipe Rolls.

7527. You are aware that the present commission has undertaken to publish a series of those?—I thought it had been suspended.

7528. If such work be in contemplation or in progress, do you consider it expedient?—Yes, I do.

7529. Have you observed any material improvement in the publications issuing under the authority of the commission since the date of the present commission, namely 1831?—Very great. With permission of the Committee, I will show an example of the inaccuracies of the former commission works. I will produce the Taxatio of Pope Nicholas, pages 285 and 286 (*producing the same*), which has been collated with a copy in the Liber Ruber of the cathedral of St. Asaph, and the Committee will observe what proportion of discrepancies exist. Here is also a copy of the Testa de Neville, page 135, (*producing the same*). I have not collated this, but these are corrections which I have made from my knowledge of the persons and places in the county.

7530. Are you acquainted with the prefaces and introductory matter prefixed to the later publications?—No, I have not paid much attention to them.

7531. Are you aware that the commission has obtained access to certain foreign archives and libraries, and that they have caused catalogues or copies to be made of inedited documents to be found in them which relate to affairs of the British nation?—I am aware that they have been applied for.

7532. Do you think that a supplement to the Fœdera, or that a new edition of the Fœdera, which has from the beginning been one of the first objects of the commission, would be a more valuable work, in consequence of these foreign researches so carried on, than it could be without them?—Certainly; every document which we can obtain for the Fœdera should be obtained; but I should recommend the publication of our own inedited documents first.

7533. Would you recommend a publication of our own documents alone, or the incorporation therewith of documents found elsewhere?—I think it would be a pity to lose the time which might be spent upon the search for foreign archives which are not yet in our possession. We might publish our own documents for the first edition, and then in the second edition all the documents found in foreign archives might be incorporated in their proper order. After all our care we shall probably find that we have omitted some.

7534. *Chairman.*] What would have been the effect of making that copy of the Testa de Neville in which you have found those inaccuracies evidence in courts of justice?—It would have misled, of course.

7535. It might have deprived persons of their rights?—It might.

7536. Do you know whether such a proposal has been made in the present commission of making that printed copy of the Testa de Neville evidence in courts of justice?—I am not aware of it.

7537. You said something about the ancient Roll of Serjeancy; that is the original document from which Neville compiled that work. Do you know how accurate the work itself is compared with that ancient roll?—It is only a part that I have seen, and that is inaccurate.

7538. The inaccuracies which you have discovered are inaccuracies which you discover by your knowledge of the persons and places alluded to?—As far as regards the county in general, but not with regard to that particular part of the Serjeancy, because I have compared it with the Serjeancy Roll itself.

7539. There you have found errors?—Yes.

7540. Many?—Not many, but some.

7541. Do you know how many tons of record publications have been destroyed by the present commission, by selling them as waste paper?—I understand about 16 tons.

7542. How was this done?—I saw some of them after they were in the shop of the person to whom I presume they were delivered; the covers were torn off, and I believe the two first sheets and the two last, in order to call them imperfect copies.

7543. Do you suppose that this had been done in order to make them imperfect?—I apprehend so, from the violence used.

Sir *T. Phillips*, Bart.

1 July 1836.

7544. Do you know whether among those that were sold for waste paper any perfect copies were got?—Of the Testa de Neville; that is to say, it was perfect before the leaves were torn of; but the leaves were torn off from all which I saw.

7545. Sir *Robert Inglis.*] Are you aware how many copies were originally printed of the Testa de Neville?—I think 1,500.

7546. Are you aware how many copies have been printed of subsequent works?—The number has been diminished.

7547. *Chairman.*] Do you think this is a sufficient explanation of the selling those as waste paper?—I am not able to give any further; all I can say is, that the information was given to me that such documents were on sale, and I was extremely annoyed at it; and I went and bought a very considerable portion, not being aware at that time that the commission had not the power of disposing of them as waste paper.

7548. Sir *Robert Inglis.*] Are you aware whether the commission sold them to Messrs. Baldwin & Cradock?—No, I am not aware of that; the person with whom I found them is a person named Gibbon.

7549. You did not trace the sale up to any authority?—No, I did not, to the best of my recollection. I wrote to Sir Robert Inglis to state the fact, but I do not remember what answer he made.

7550. *Chairman.*] Have not many of the records been lost or stolen since the present commission came into being?—They have been lost, particularly at the time of the transfer of the records of the Court of Exchequer to Westminster Hall.

7551. Is it not your opinion that more of the records of England have been destroyed since the Record Commission was first instituted, in 1800, than were destroyed during the four previous centuries?—I think there have.

7552. Sir *Robert Inglis.*] On what authority or inquiry do you make this statement?—I have not heard of any destruction of records previously, except a few boxes, by a servant, out of the Duchy of Lancaster Office. I allude to the records lost at the fire of the Houses of Parliament, and the damage done to the Exchequer records by putting them on the floor and against the walls of Westminster Hall.

7553. So far as any records have perished in consequence of the fire, do you consider that such destruction is attributable to any want of care on the part of the commissioners?—I think that if the record-keeper had placed them all in boxes they would have been carried down without any danger, and without the necessity of throwing them out of the window.

7554. *Chairman.*] If they had been in fire-proof buildings there would not have been any danger from fire?—Of course not.

7555. Sir *Robert Inglis.*] So far as such destruction is attributable to the position of the records in Westminster Hall, can you say how far it was or was not within the authority of the commissioners to have made any alteration therein?—No, I cannot, but if it was not within their authority, it was a great omission in their appointment not to give them full power over the records.

7556. Are you aware whether the removal took place under the authority of the Judges of the respective courts in whose legal custody the records themselves were?—That I am not aware of.

7557. *Chairman.*] Has not the present commission changed the form of its publications from folio to octavo?—Yes.

7558. Has there been any corresponding diminution of price?—It appears to me that there has been an increase of price, compared with the quantity of matter in the publications.

7559-60. What did one of those large folio volumes of the old Record Commission sell for?—There were various prices; I believe the lowest was 30 *s.* or two guineas.

7561. The present price is a guinea a volume for the octavo?—I believe so.

7562. Comparing the matter in the two sets of volumes, how many volumes of the new commission's works do you think one of the volumes of the old commission's works contains?—Taking into consideration the difference in the size of the type and the size of the pages, I should think six volumes.

7563. So that one volume that sold for about 30 *s.* or two guineas contained as much matter as six volumes, selling altogether for six guineas?—I should think so.

7564. Sir *Robert Inglis.*] Are you aware whether the sale-price of the folio volumes is the sale-price upon a calculation made with the booksellers on their taking

taking large stocks of the different publications which had issued prior to the existence of the present commission?—No, I am not aware of that. Sir *T. Phillips*, Bart. 1 July 1836.

7565. *Chairman.*] Has not the commission published some works exceedingly inaccurate and defective?—The majority of the works of the last commission are far superior to those of the former commission. But some editors under the present commission have not had sufficient ability to edit the records properly.

7566. Some of the works have been exceedingly inaccurate, owing to the incompetency of the editors?—I think so.

7567. Mr. *Villiers.*] You stated that the works that have been printed by the board were useful. You were then asked whether they had printed the most useful, and you said you were unable to state that, because you did not know what had not been published. Are there not means of ascertaining what records are in different offices; are there not calendars published?—Calendars of many of the records have not been published. Calendars of the Placita have never been published, nor calendars of the Fines.

7568. If the calendars had been published, should you have been enabled to have judged whether the most useful works had been published?—I should not have been able to have judged from the calendars alone, without a knowledge of the nature of the documents.

7569. You might know that by the calendars, might you not?—To a certain extent only, and not at all in some cases; for instance, in the calendars to the Inquisitiones Post Mortem; we could not tell what was the nature of the "Probationes Ætatis."

7570. *Chairman.*] In the present state of information about the records in the Record Office, how can anybody say that the commission have made a proper or an improper selection, when it is not known what works they had to select from?—I did not say so myself.

7571. Are there any means of obtaining information upon that point?—There are means, because the commission might have published a list of all the documents.

7572. But they have not given these means to the public?—No such statement of the documents has been given.

7573. If you wanted to judge of the propriety of the selection made by the commissioners, could you know what records they had to select from?—No, as there is no catalogue; and I should not understand the nature of them without an examination of the records themselves.

7574. If it was a question whether they ought to have printed the Rotuli Selecti, or any other work, could you say whether other records that were behind unpublished ought to have been published in preference?—I should say that a series of records ought to be printed, and no selections.

7575–76. The contents of the offices have not been made known to you by catalogues?—Not the whole of them.

7577. Mr. *Villiers.*] Then, if you had to direct the operations of a Record Commission, you would first direct the calendars to be published, and then the works which you consider most useful?—If you will print calendars, they ought to go on simultaneously. The calendars which are ready might be printed, and the records themselves might be printed at the same time, and that is what I should recommend. If they are in chronological order, I should commence printing the record itself, although the calendar is not made, because the record is of course more important than a calendar. In fact, it is my opinion that calendars are not necessary for the public, if the records themselves are to be printed, with indexes of persons and places. The calendars are most useful, and indeed necessary, to the offices, but to the public only in the case of unprinted records.

Henry Hallam, Esq., called in; and Examined.

7578. Sir *Robert Inglis.*] AS a member of the commission you have paid considerable attention to its proceedings, and from your own private studies you are perfectly aware of the value to be attached to the publications which have appeared under the authority of the commission; are you prepared to state to the Committee that, looking at those publications prior to the date when you yourself became a member of the board, and looking at those which have appeared since, you do or do not regard the mass of them to be creditable in the selection to those who directed the publication, and in the execution to those who have conducted *Henry Hallam*, Esq.

Henry Hallam, Esq. 4 July 1836.

conducted them?—With respect to that question I must answer the different parts of it separately. I certainly am acquainted generally with some of the publications of the old commission: with respect to many of the publications, both of the last and the present commission, I am not competent to speak; they relate to subjects for the most part to which I have not paid much attention, and therefore I can only speak to certain publications which, in the course of some historical researches, I frequently availed myself of, and which I found of great use; I particularly allude to the edition of the Statutes of the Realm.

7579. Are you able to give to the Committee an opinion with respect to the Parliamentary Writs?—I can say very little about the Parliamentary Writs; I can only answer generally that they contain a vast many details and specific information as to the state of the country in those periods to which they relate.

7580. Does it appear to you that the national archives contain a fund of historical information relating to institutions and public transactions of the realm, and applicable in various ways to almost every department of historical researches?—I conceive that they certainly do.

7581. Do you conceive from the present state of the market for literature in England, that any publication consisting of documents only would be likely to repay an individual bookseller or any associated booksellers?—I believe I may say certainly that no bookseller in the present day would undertake a work of the kind.

7582. Then if the publication be intrinsically valuable, and at the same time such as not to repay an individual speculation, does it follow as your opinion, that you consider the expenditure of public money upon such publications to be expedient?—I certainly think it is expedient, if it is desirable to keep up and extend the historical literature of the country.

7583. Do the publications of many documents which have appeared under the sanction of the Commissioners upon the Public Records contain much valuable information to which scholars had no access before, and do they afford a reasonable hope that fresh information of the same character may be obtained from the same depositories?—That can only be a question of degree; there can be no doubt that they contain a great deal that is valuable. I have already stated that I am not competent to judge as to the greater part, which are more of a legal than an historical kind.

7584. As to the legal part, do not you think it desirable that there should be great accuracy in the calendars and indexes to legal documents?—It must evidently be desirable to persons investigating private rights; and it must also be desirable to persons that wish to promote the legal literature of the country, if I may so call it.

7585. *Chairman.*] You published a work on the Middle Ages in 1818?—I did.

7586. You published another edition of that in 1819?—I did.

7587. Is not a large portion of the work, amounting to about one third, devoted to the constitutional history of England?—A portion of it is; not quite so much as a third.

7588. Is there in all that portion any single quotation from the works of the Record Commission?—There must be references to the edition of the Statutes of the Realm.

7589. And to the Fœdera?—Not to the new edition of the Fœdera; I have no reason to think that I made use of the new edition of the Fœdera.

7590. On the subjects of which you treated in that work, particularly the jurisdiction of the King's Council, was there any information to be derived from any publications of the Record Commission, either in 1818 or 1819?—I cannot say that I have examined so much as I ought to have done all publications then existing. I do not know that upon the subject of King's Council I referred to any publications of the Record Commission; I had recourse to Lord Hale's history.

7591. The question is, what practical benefit you have derived from these works which are supposed to have had such a beneficial effect upon historians?—I am not able to say that I have derived any considerable benefit from them. I think from the second volume of the Scotch Acts of Parliament I have derived benefit.

7592. That is in your work upon the Constitutional History of England?—It is possible it may be so.

7593. When was that work published?—In 1827.

Henry Hallam, Esq.

7594. In that work you have referred to the Harleian, Cottonian and Lansdowne catalogues, and to the manuscripts to which those afforded you a clue?—I have.

7595. You found those catalogues extremely useful?—Certainly.

7596. And they are of great use to historical inquirers?—They must be of great use to any person that has recourse to the British Museum.

7597. You referred also to the Acts of the Scottish Parliament?—I did.

7598. And with those exceptions, you have not referred to any works of the Record Commission?—I cannot pretend to say that I have done so; it is impossible to say at this distance of time, but I should think very rarely, if at all.

7599. In your Constitutional History, in the first volume, is there not a very minute discussion of the revenues brought to the Crown in 1534 by the suppression of the monasteries?—I think there is something upon the subject, but I do not recollect it minutely at present.

7600. Was the Valor Ecclesiasticus published at that time?—I think it is probable that it was.

7601. Did you make any use of that work?—I cannot at this moment say whether I did or not; it is possible that I might not.

7602. Does not that prove that the utility of those publications has not been so much appreciated by historians as we might be led to believe?—I am afraid it would rather prove my own negligence than anything else. If the book is useful, it should be consulted by historians. I do not think the Valor Ecclesiasticus is a book in which I could have found much that would be of service to me; but it might be useful to those that went more deeply into those inquiries than I did.

7603. These questions are put in the confidence that no one who knows anything of your works will attribute negligence to you, and the questions are put to show that a person who has written so much and so usefully upon history has made very little use of the works which it is stated have had so much effect upon the historical researches of the times?—None of the works that I have written upon history go very much into the minute details which it is necessary for an historian that writes upon a particular period to examine; they have related to extensive periods, and the object has been to convey general results.

7604. Who are the other historians that have made valuable use of those works?—Is has been stated that Dr. Lingard has done so.

7605. Have you any reason to say that?—I have understood that it is from Dr. Lingard's testimony. I do not know it from his writings.

7606. Can you state any point of great importance, connected with the history, or the institutions or manners of this country, which has been cleared up by the publications of the Record Commission, except what knowledge has been given to the public by the writings of Sir Francis Palgrave?—It is difficult to answer so large a question. I have not immediately before my mind all the publications of the Record Commission; I think that amongst those numerous publications, much must be contained which would be useful to historians.

7607. In regard to other sources which have been lately opened to us, for instance, some of the Stuart Papers, we could point out the knowledge of history which has been derived from information contained in them; could you point out any similar service rendered by the publications of the Record Commission, to the parts of history of which they treat?—I am not able to do so, but I do not think my want of knowledge upon the subject ought to weigh much; it requires a degree of consideration which I have not given to it for some years.

7608. You have been a commissioner since 1831?—I have.

7609. Have you frequently attended the board?—I have attended pretty frequently.

7610. From your experience as a commissioner, should you say that you have had an accurate knowledge of the proceedings of the board all that time?—By attending the board I have had so far a knowledge that I have known the proceedings when I have beeen present, which has been generally the case.

7611. Have you generally known what works were going to make their appearance under the sanction of the board?—Not entirely. The meetings have not been very frequent; I should think, upon an average, six or eight in a year; but the general management of the board has rested with the secretary and some commissioners with whom he has had communication. I cannot say that I have always known what was going forward, but I have always had the power of doing so.

Henry Hallam, Esq.

1 July 1836.

7612. Practically the affairs of the board have been conducted by the secretary and such commissioners as he consults?—Practically the affairs of the board have fallen very much into the hands of the secretary, but I have been frequently upon sub-committees.

7613. Has the commission generally had an accurate knowledge of its own expenditure?—I think the commission has had a pretty accurate knowledge of its own expenditure. I have myself served the office of auditor several years.

7614. How many times?—Not less than three. It is annual.

7615. Have the accounts been audited annually?—Annually.

7616–17. The money, when issued from the Treasury, is lodged in the hands of the secretary, and he disposes of it without any check or control?—The money is certainly lodged in the hands of the secretary. I do not think that is altogether the best mode, and that might easily be rectified; I believe it remains only for a short time in his hands.

7618. Were you aware of the foreign collections which have been making?—I have been aware of that fact. In auditing the accounts I have seen the items of expenditure for them.

7619. Can you state for what purpose they were made?—For the purpose of making a collection, either for the Fœdera or "Materials for the History of Britain;" they all related to materials for English history, contained in foreign countries.

7620. The work of the "Materials for British History" is suspended, is it not?—It is.

7621. But the collection of foreign materials is still going on?—I do not know. The suspension of the work was only last year; that does not at all imply its abandonment, and therefore there could be no reason for discontinuing the foreign collections upon that account.

7622. Do you know what measures have been taken to secure proper collections being made abroad?—The whole has been conducted by Mr. Cooper, who has employed different persons in various parts of Europe.

7623. Who those persons are you cannot say?—They are foreigners. I have heard generally who they are; they are, I believe, literary men.

7624. Do you know anything of the competency of those gentlemen?—Not the least.

7625. All that was left to the secretary?—Yes, it was.

7626. Do you know whether Mr. Petrie, who was entrusted with the materials for the publication of the "Materials for a History of Great Britain," knew anything of the foreign collections that were making for the purpose of aiding him?—I cannot answer that question from my personal knowledge.

7627. You do not know whether they were made under his superintendence?—I should think not.

7628. Can you state why the materials were collected for the work without the knowledge of the person to whom that work was entrusted?—I am unable to answer that question. Mr. Petrie is a very valuable person, but there have been difficulties in treating with Mr. Petrie the last two or three years, which may have led to it; and indeed Mr. Petrie, by delays arising out of his health, has virtually thrown up the work.

7629. You cannot state what the foreign collections have cost?—I cannot.

7630. Are you aware that the commission is the proprietor of a large library?—I am aware of the library.

7631. Do you know how much that library cost?—I know it has cost several hundred pounds.

7632. Did you ever see that library?—I have seen part of it.

7633. Do you know where it is kept?—In Boswell-court.

7634. The whole of it?—I think it is all in Boswell-court.

7635. Was there any order of the board for the purchase of those books?—I do not remember; but as the minutes of the board have been preserved, they will show whether it is so.

7636. Can you state generally the state of the apartments in which the records are in the public offices?—From what I have seen, they are in some offices very good, and in others but indifferent.

7637. Mr. *Pusey*.] You consider the publication of that work to which you alluded, "Materials for a History of Britain," likely to be useful to future historians?—I think it would be a great convenience. So far as it contains unpublished matter,

matter, it must be very useful: so far as it is a republication of facts already in print, still as it brings them together, it would be in that respect exceedingly convenient, especially for persons not resident in London. *Henry Hallam*, Esq. 1 July 1836.

7638. And the publication of the records also should you consider desirable, for the same reason?—I consider that the publication of records must be desirable to many classes of persons. Of course it is only to a limited number that those publications are valuable.

7639. But that number being writers themselves, will work up those raw materials into a manufacture which will be accessible to the public?—Undoubtedly

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Martis, 5° die Julii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Charles Lemon.
Sir Robert Inglis.	Dr. Bowring.
Mr. Pusey.	

MR. CHARLES BULLER, IN THE CHAIR.

Edward Protheroe, Esquire, called in and further Examined.

7640. HAVE you any statement to make in explanation of or addition to your former evidence?—I will be as brief as I possibly can; but as the Committee have had the kindness to allow the Commissioners to be put in possession of the evidence as it is taken, I conceive that the Committee in a manner call upon a Commissioner who has been examined for any observations he may have to make upon statements contradictory to the evidence he has given. I beg therefore to make one or two statements, in which I shall abstain as much as possible from every thing which is of a personal character. I observe in Mr. Cooper's evidence, in answer to question 2281, reference made to what I had stated as to the item headed "repairs." I stated that there had been repairs in the house in New Boswell Court, because I observed the following receipt: "Received of the Honourable the Commissioners for Records, C. P. Cooper, Esq., the sum of three hundred and eighty-two pounds fifteen shillings, for bricklayers' and carpenters' work, as per bills.—*Henry Heard.* 67*l.* 9*s.*; 48*l.* 5*s.*; 113*l.* 2*s.*; 45*l.* 13*s.*; 108*l.* 6*s.*" Two of those bills are for work in the house in New Boswell Court; alterations in the attic story, kitchen, coppers fixed, stoves altered, new stoves supplied, refixing chimney-pieces, contracting chimnies, rebuilding fire-places; the other bills are for book-cases principally. The next question to which I have to advert is 2389. I observed that the Bishop of Llandaff was said to be led into error by a statement of mine. I did not observe the statement till yesterday, upon which I immediately wrote to his lordship requesting to know whether he having been as stated in the evidence present, meant by his silence to confirm the statements therein made. I believe I am authorized in making a short communication from the bishop's letter. His lordship says, that he was not led into error by me, and in the most handsome manner he shares the credit or discredit of the calculations on which our report was founded; he never threw any blame, he says, on me; nor did he take any himself; but he merely confirmed when in the Committee the correction offered by Mr. Cooper; and his lordship says, he was as much surprised as I was at the passage alluded to, and which he had not heard when he was in the Committee-room. I am very unwilling to go into a lengthened detail of my original objections to the returns to Parliament without further and very accurate examination of those returns, and of the accounts; I cannot presume to say whether I should concur in the opinion of the Bishop of Llandaff, that we were in error, nor positively to say that I should not agree with it. In the absence, however, of all means except the returns now before me, of coming to any conclusion upon the subject, I beg leave to say, that I adhere to the opinion to which I signed in the report, delivered in to the Board. A committee of our Board was subsequently appointed to reconsider our report. To what determination that committee has come I do not know, because it has never to my knowledge reported to the Board. As far as I can understand Mr. Cooper's statement, it appears to me that it corroborates entirely the view which I took of the returns. It never was my intention to impugn those returns as being compiled with any *E. Protheroe*, Esq. 5 July 1836

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fraudulent intention of concealing expenditure. I only was induced to advert to them at the Board, because Mr. Cooper stated to me that they would answer, as he thought, the object I had in view of an analysis of the expenditure. I was therefore most unwillingly and reluctantly led to comment upon their accuracy, and to remark that an important and questionable item in our expenditure, the purchase of books, did not appear to be accounted for in the full sums which had been expended in that period. I had, as I stated in the report to which the Bishop of Llandaff and I set our hands, agreed that it is most probable that the sums which are wanting under the head of books are to be found in other items. My ground of attack upon those returns was, that they were not calculated to elucidate the expenditure of the Board in an analytical form, or to act as a continuance of those returns which I had obtained from the former Commission; and as the object I had in view was to obtain information which would show the apportionment of our expenditure, those returns were insufficient documents. I will not weary the Committee by going into any further observations upon the subject. It is with very great pain that I find myself induced upon the present occasion to refer to a letter of Mr. Cooper's; but as Mr. Cooper the next day wrote to me and gave me full liberty to make use of the letter, and make it as public as I pleased, I think that, under the circumstances of my calculations and my opinions on those returns being attacked, I am obliged to advert to its contents. It is a letter from Mr. Cooper, written on 27th January last, the day on which I made my complaint to the Board as to the accuracy of these returns. That letter, although written by a clerk, is marked "private;" it came to me at that time when any information, with regard to the returns to Parliament was of very great importance, as I had had, together with the Bishop of Llandaff, the duty committed to me by the Board of examining the accuracy of those returns. In that letter there was an admission, I will not say of any criminal inaccuracy, for I never imputed any such inaccuracy to Mr. Cooper; but there is an admission that is calculated to impress me with the belief that my statement as to that inaccuracy was confirmed by Mr. Cooper. The passage is this: "I am confirmed in this opinion (of the impossibility of satisfying me, except by the formation of a new analysis and classification to be made on the plea so often insisted upon by you) upon looking at the returns to Parliament (December 1833) which certainly do not agree with the items as extracted and classified very recently for the purpose of enabling me partly to judge of the expenses incurred under certain heads, and partly to render the recent returns more complete."

7641. Is there any other point you wish to mention?—I beg leave to state that Mr. Cooper is very naturally unaware of my complaint of these returns was long antecedent to the 15th of January 1826. I brought the question under the consideration of the Treasury for the sake of having a new analysis in December last year, 1835. The next point to which I wish to call the attention of the Committee is the question 2446, that is, whether a communication is private or not private. I beg to state in the first place that to the best of my recollection, I never laid any letter of Mr. Cooper's before the Board; that the information was received, I believe, from a stranger in the room, and that at the moment of my giving the evidence, which was at that particular period given in a very conversational form, I thought it desirable to correct instantly some expressions which were used. The letter in question I did not conceive to be a private communication, as it was written by a clerk, and indorsed, "Record Commission;" and because on another occasion I received a letter from Mr. Cooper, which was marked "private," although written by a clerk. I may just add, that I do not admit that any communication can be considered as private which is written by a third person, and especially by a common clerk. At the same time, I have never availed myself in my evidence of any communications made to me, in the course of a long correspondence between Mr. Cooper and myself, in support of any opinions of mine, excepting this instance, when my only reason for adverting to it was, because since the matter was one, as I conceived, of very great notoriety, a charge having been brought by several persons against our Board of publishing an essay of Sir Francis Palgrave's, which was not wholly original matter, I really did not think that I was doing any disservice to Mr. Cooper, in expressing that I believed he had concurred in this opinion, with reference to that essay. I beg leave to make one further remark, I observe that it is stated that I "absented" myself from the Committee appointed to consider the claims of Mr. Hardy and Mr. Cole; I wish to remark that I was detained from attending

attending that Committee by the alarming and very dangerous illness of my father; and when named for the Committee, I expressed my great doubts whether I should be able to attend even once.

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The Hon. Mr. Baron *Alderson*, called in; and Examined.

The Hon. Mr. Baron *Alderson*.

7642. Sir *R. Inglis.*] HAVE you turned your attention to the subject of the erection of a general repository for the preservation of the more ancient records of the country, and do you think such a measure would be desirable?—I certainly have considered the question, not now for the first time, but often; I think it would be a very desirable thing that there should be a repository for the general preservation of all the records of the country.

7643. In the term, "the records of the country," do you mean to make any distinction between those which are in legal parlance records, and those which are merely of a literary and antiquarian value?—No, I do not mean to make any distinction between those two, because I take it that most of our ancient legal records are very much connected with the history of the country, and with antiquarian researches as to the manners of the country in ancient times; indeed, as to the history of the country in ancient times, they are perhaps the most authentic sources of information. I had an opportunity last year of being in Scotland, and I certainly was extremely struck with the advantage and with the convenience of the general place of deposit of records which the general Registry Office at Edinburgh affords.

7644. Would you propose by Act of Parliament to transfer the legal custody of the records, with the records themselves, to any place of general deposit?—I think it would be very desirable at certain fixed intervals of time so to do, taking care, however, to provide, by Act of Parliament, that the change in the place of custody shall not prevent those documents from becoming evidence in courts of justice, which at present depends upon their being produced from the proper custody.

7645. *Chairman.*] You would propose that after a certain time they should be sent to this general Record Office, and in the earlier stage you would keep them in the custody of the officer of the courts?—Probably it would be more convenient that the current records (so to speak) should be kept in the custody of the officers of the court.

7646. But after a certain period it would be desirable that they should be placed in some place of general deposit where they could be indexed?—Yes.

7647. Is that the plan in Scotland?—I think they go immediately there, but I am not sure.

7648. With regard to records 50 or 60 years old, is it not very important for the sake of legal inquirers that they should be altogether, because a man may not know exactly whether the information which he wants is in the records of one court or of another?—I think that is a very strong argument in favour of a general repository, because you save an enormous deal of trouble, and obtain an opportunity of searching the records of all the courts, the Common Pleas, the King's Bench, the Exchequer, the Rolls, and so on, at the same time. But if you were to do that rashly without proper provisions by Act of Parliament, they would be deprived of their value as evidence.

7649. Sir *R. Inglis.*] One of the recommendations of the Select Committee on Public Records in 1800, not yet executed by the Record Commission, is the publication of an accurate and uniform edition of the ancient law books, such as Brackton and Fleta. Do you or do you not think that the publication of such a work, assuming it to be made from the most authentic sources and by accurate collation, is desirable?—I think it is desirable, but I am not capable of saying how far the expense would be an objection. It is to be desired that we should have good editions of books of that description, but I cannot say how far the object would be worth the expense.

7650. Another work recommended and not yet executed is a complete and authentic edition of the year books, many of which are inedited; do you not think that such an undertaking would be serviceable to promote the knowledge of our ancient jurisprudence?—I think it is very much to be desired that we should have a better edition of the year books, some that would be more accessible than the present. The late Mr. Vaillant was proposing, I believe, to publish an edition of the year books, but I do not think he got far in it. I think it is very much to be desired that we should have a greater knowledge of our old law books for one reason, the enormous increase of the law, and the enormous number of books that

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are published day by day, will soon reduce the English law to the state the old Roman law was in in the time of Justinian, when it was necessary to have a digest of the laws to see what were proper and what were not. At present the reports are almost a mere register of particular decisions.

7651. Mr. *Pusey.*] Do you think it would be desirable, in publishing the year books, to publish a translation opposite?—No, I think it would be too much expense.

7652. But if there were no objection on account of the expense, you think it would be more valuable?—The books would be then more useful, and more easy of consultation. It is very often difficult at present to know whether the person speaking is the judge or the counsel.

7653. Sir *Robert Inglis.*] Have you paid such attention to the edition published under the Record Commission of the "Statutes of England," as to enable you to give the Committee an opinion of the value of that work?—No, I cannot give any opinion as to that. It is much to be desired that we should have an edition of the old statutes.

7654. In this edition all the statutes are published?—I am not competent to give an opinion upon that.

7655. *Chairman.*] Are the Committee to understand that though this work has been published by the Record Commission, you have not found it of any use?—No, I have not individually found it of any use; but I do not mean to say that it may not be so, but it has never come under my notice. The ordinary run of cases do not require those things.

7656. For whose use would you reprint the year books?—I should say they would be more for the purposes of the more learned lawyers, who were to be engaged in future, if it is to be done, in framing a digest of the law of England. They contain a great deal of the original principles of the law, though stated very shortly.

7657. Do not you think that the mass of reading with reference to particular decisions, especially as to modern law, is so great, that very few practising lawyers have time to pay any attention to the ancient law?—I think very few practising lawyers do pay attention to the year books. I think it would be well if they did, but it is impossible.

7658. You do not think the mere reprinting of books at the public expense would change the current of legal reading?—I do not know that it would; but it is much to be desired that it should. We read too much for the day and the hour.

7659. But that would not be changed by such means as this merely?—It is one thing towards it. I answer these questions without reference to the expense.

7660. Are there not copies of the year books existing in many lawyers' libraries?—In almost every good library.

7661. Do not you think that every lawyer that would read the year books has got them?—I think that is so.

7662. Do you think any lawyer that has a taste for old law is deterred now by the difficulty of reading the year books in their present form?—No, I should not think so; I think he would have greater facilities by a better edition, in which persons of antiquarian knowledge would search out for him that which at present, by some trouble and labour, he might obtain himself.

7663. Sir *Robert Inglis.*] Do you or do you not think that a knowledge of the Anglo-Saxon laws is needful for the perfect understanding of the ancient history of English law?—No doubt it is necessary to a perfect understanding, because it is part of the original foundation of the English law. But I think you may have a good knowledge of English law without a knowledge of the Anglo-Saxon law.

7664. *Chairman.*] A good knowledge of the Roman law would be essential to a perfect understanding of the ancient history of the English law, would it not?—No doubt all species of law; indeed a good knowledge of the Roman law is of great importance in the English law. I remember in the case of the question of the right to the soil of the sea shore, which was disputed between Blundell and Catterall; there the knowledge of the Roman law, which Mr. Justice Holroyd possessed, gave a great value to the very elaborate and learned judgment that he gave on that occasion, in which he showed that Brackton had taken the greater part of his law from the old Roman lawyers, which, in that respect, was not coincident with the law of England.

7665. Sir *Robert Inglis.*] Have you paid such attention to the publications of the Record Commission which relate to the value of ecclesiastical property, such as the "Valor Ecclesiasticus" of King Henry VIII., as to enable you to say whether

whether they have or have not afforded assistance to persons concerned in tithe causes?—I think they have, and they might be made to afford a much greater assistance if Parliament would so order, and that by a most simple process. At present you have republished "Domesday Book," and you have republished the "Valor Ecclesiasticus," and I think you might with great advantage republish the whole of those documents, extracts from which are, ordinarily speaking, used as evidence in tithe causes at a great expense to the parties. If you would print those documents and make the printed book evidence, *prima facie*, and distribute your printed books in the different parts of the country, as for instance in the principal assize towns, that would enable the party, by turning open a book in court, to save himself the whole expense which at present is incurred in searches and in office copies, and in witnesses to prove those office copies. I have seen it in tithe causes to a great extent. I am quite sure that great facility and a great saving of expense would be obtained by the adoption of that course.

7666. You referred to other works besides the "Domesday" and the "Valor Ecclesiasticus," will you state whether you refer also to the "Parliamentary Survey" in the library of Lambeth?—I will state the books usually cited before me. I hear all the tithe cases which are now heard; they almost always begin with Pope Nicholas's "Taxatio," then the "Nonæ Rolls," the "Ecclesiastical Survey" and the "Parliamentary Survey," and sometimes you have "Domesday Book," not very often; and there are one or two other such documents.

7667. Among those which you have now mentioned there are several which have already been printed under the authority of the Record Commission, the last mentioned having been printed in the first instance by the House of Lords and the continuation of it by the Record Commission, namely "Domesday"?—Those are not made *prima facie* evidence.

7668. Have you paid such attention to the accuracy of that part of "Domesday" which has been published by the order of Parliament, or the continuation of it published by the Record Commission, as to enable you to state whether it be in a condition such as you would desire to produce in court as evidence?—I only used the expression "*prima facie* evidence." It should be open to every party who found that the "Domesday Book" or any other such document was improperly printed in the passage which he was desirous of referring to, to produce an examined copy, and thereby to correct the printed copy; but that would probably not be necessary in the great majority of cases.

7669. The Committee understood you to say, that it should be *prima facie* evidence only, and therefore, even if it should appear that there were considerable errors in the "Taxatio Papæ Nicholai," for instance, as printed, you would still think that *prima facie*, it is better that it should be received in evidence, leaving its accuracy to be tried by another process, than that the party should be compelled, in all cases, to produce an attested copy from the document itself?—I think that would be so. I think, upon the whole, there would be so great a saving to the public that they could very well afford to pay for the correction in any particular case where it was inaccurate; and, after all, the correction, in any particular case, would not be more expensive than every case now is: I recollect in the Cambridge toll case an instance of the kind occurring, it became of considerable importance to ascertain the meaning of a particular phrase, "consuetudines," in "Domesday Book," and the only passage legally before the court was the passage in which that particular word was to be construed. There we had a printed copy in court, and it was not competent, in point of law, to refer to it, to see what in other passages was the meaning of the term.

7670. *Chairman.*] Was this in Cambridge?—No, in the Court of King's Bench, before Lord Tenterden.

7671. Could not you have had the book from the Chapter House?—It was not attempted; probably they would not have permitted it to be moved; but we had a copy, upon which the whole argument was founded; and I recollect that one of the antiquarian witnesses was called to give his general recollection of what was the meaning of it in the various passages in "Domesday," and the use of the words "theolorium" and "tolnetum," in "Domesday," as distinguished from it; although we had the book there to which we could have referred, in passage after passage, if it had been competent; I recollect Lord Tenterden there saying, that it was much to be desired that the book should be made *prima facie* evidence.

7672. Sir *Robert Inglis.*] Have you paid so much attention to the general works printed under the authority of the Record Commission as to be able to give an opinion as to the merit of their selection or the merit of their execution?—I have

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no means of knowing their value, because I have never had the means of comparing them with the original. It appears to me, that those I have seen are very amusing to persons engaged in those pursuits, and very instructive to persons who are desirous of knowing what the original institutions of the country were.

7673. *Chairman.*] You were understood to say, that they might have been made to give useful information; the useful information, then, which you wish to see given by them is not given by the works hitherto published by the Record Commission?—I am not aware that I said so; I said that they might have been made of more extensive use by being made *prima facie* evidence; I am convinced that there would be a considerable saving in the trial of causes from that alteration.

7674. Sir *Robert Inglis.*] You have referred to the advantage to be derived from the circulation, in each assize town, of the works printed under the authority of the Record Commission, of those works especially which have reference to the class of cases of which you have been speaking. Do you or do you not think that the publication of calendars, indexes and catalogues, adapted to the records in most frequent use for legal purposes, is likely to make those records more readily accessible, and therefore to tend to the more effectual administration of justice?—I think there can be no doubt about that. The records can only be consulted by means of that machinery.

7675. *Chairman.*] You mean that the calendars would be useful if they were made; you do not mean the Committee to understand that there are any such calendars?—Not any very good ones; it used to, I believe, be a monopoly to have the possession of a good index to the records.

7676. Sir. *Robert Inglis.*] Are you aware of the calendars which have been printed under the authority of the Record Commissioners?—No, I am not.

7677. From your experience formerly as a practising barrister, and from your experience since as a judge in two of the supreme courts, can you state to this Committee that the condition of the records consulted for the daily purposes of the court is such, either as to the facility of reference or as to the payment of fees, on the payment of which they are consulted, as satisfies you?—I am not aware of the fees required on the consultation of the records; some of the records are certainly very easy to be consulted. The records of the Court of Common Pleas were arranged, almost all of them, and those are very easy of consultation.

7678. *Chairman.*] But even those have no better index than the docket books?—I cannot say.

7679. But docket books have a very insufficient index, have they not?—I cannot answer that.

7680. Sir *Robert Inglis.*] The records in your present court are considered to be the most important in the kingdom, are they not?—Some of them are so.

7681. *Chairman.*] Is that the reason for which they are kept in sacks in the ride?—I do not know where they are kept; they have been very unfortunate; they were kept in Westminster Hall, in the most dangerous place, whilst the courts, were re-building. People used to consult them in a house which was capable of being set fire to, and what was worse, it was without light, so that it was necessary to carry a candle in. I remember calling Mr. Michael Angelo Taylor's attention to that at the time.

7682. With respect to the Exchequer Records, twenty-four different persons connected with the court have access to them, have they not?—I do not know, they are principally under the care of the King's Remembrancer.

7683. Sir *Robert Inglis.*] Are you aware of the constitution of the Record Commission, and if so, can you state whether, in your judgment, it is a constitution fitting to remain, or would you recommend the substitution of a Board of salaried officers, superintending the labours of others in the daily execution of the duties?—I should doubt whether there would be enough to do for a Board of salaried Commissioners; they would be very convenient places I should think. As to the present constitution of the Board, I am hardly sufficiently acquainted with it to give a satisfactory answer; I presume it consists of a certain number of great officers of State and persons of station in the country. The evil on the one side is the expense to the country, of making places which are not necessary; on the other hand, there is no doubt that persons of great consequence, having a good deal of other matters to do, do not give that undivided attention to the thing which perhaps is desirable; perhaps there ought to be a plan, uniting the advantages of the two. You might have some person who is paid to carry on the general business of the Commission. I presume there is some officer who is paid, whose duty it is to see that the Commission goes on in a regular course, a clerk or a treasurer, or registrar or something

thing of that sort, who should take charge of the Commission; then there should be persons of rank and station, who are likely to have facilities of access to the different offices of the records of the country; and another class of unpaid persons, who would be willing, from their love of science, to take the more labouring part of the duty. That seems to me to be the proper constitution of such a Board.

7684. *Chairman.*] As you have been asked your opinion upon the theory of Record Commissions, do you think it desirable that there should be a Commission of high officers of State, who, as you say, would not be likely to pay very sedulous attention to the business, and a secretary paid, the effect of which is likely to be, that the work will be left to the secretary, and the nominal responsibility left with the Commissioners, who do not interfere?—Certainly if that were so I should think not; but my supposition is, that it is not a nominal responsibility, and if it is, it ought not to exist. There should be an actual superintendence, sometimes by one, and sometimes by another, but always by a body of a superior class of persons.

7685. Do not you think that the high fees upon the searches for the necessary information contained in the records, for the purposes of litigants, is a very great obstruction to justice?—I think all high fees are a great obstruction to justice. I think all fees should be reduced as low as possible, consistently with the proper doing of the business of the office.

7686. From your own experience, can you say whether the fees upon the searches of records have amounted to a very large tax upon litigants?—I am not acquainted with the actual payment; there is a general belief in the profession of the law that it is so.

7687. Can you state whether it is the general belief in the profession of the law that there is a great waste of time and great uncertainty in searches for records that may be wanted?—That I do not know. I conceive that there must be a great waste of time from the circumstance of having to go to so many places; perhaps a waste of time is not the proper expression, but I ought to say that an improved state of management of the records would prevent that loss of time which at present exists. If the country would be at the expense of building a Record Office this would be prevented.

7688. Is not much time lost by the deficiency of indexes?—It must be so.

7689. Is not it a great evil the indexes being private property, a monopoly in the hands of persons who may charge what they like?—No doubt of it; it is much to be desired that every body should have a reasonable access to those records; at present you cannot blame the persons who have devoted their time, if they make a profit of the time that they have so devoted.

7690. With regard to the production of "Domesday Book" in the Cambridge toll case, the cause being tried in London, and the book being necessary, recourse might have been had to it at the Chapter House, but would not the fee have been a reason for its not being brought, unless from absolute necessity?—A case of that sort arises from sudden necessity, and the Chief Justice would not adjourn the court; but I think they will not permit "Domesday Book" to be removed out of the Chapter House; I never heard of its being brought into court.

7691. You do not know whether the fee for the production of it is 60*l.*?—No, I thought it had been absolutely prohibited, but if it is such a fee, certainly it would amount completely to a prohibition.

Charles Purton Cooper, Esq., further Examined.

7692. Sir *Robert Inglis.*] HAD you any communication with Lord Brougham in the month of December last, respecting the cases of Mr. Hardy and Mr. Cole?—I had.

7693. What was the nature of that communication?—I requested his lordship to have the kindness to read all the papers sent him relative to those cases preparatory to the meeting of the Commissioners which was to take place at the house of the Chancellor of the Exchequer in Downing-street on the 18th of December.

7694. Did his lordship make any reply?—Yes, he informed me that he had perused the printed memorial of Mr. Hardy, the pamphlets of Mr. Cole, and all the other documents, and that Mr. William Brougham, who was on a visit with him at Petersham, had perused them at the same time. I have in my possession one of the largest of the papers with notes in Lord Brougham's handwriting. He left it on Mr. Spring Rice's table, and I brought it away with me, and have kept it from that time.

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7695. Had you any communication with any other Commissioners respecting the same cases of Mr. Hardy and Mr. Cole?—Yes; I requested most of them to read the different papers circulated, and from what passed at the Board I am confident that all those members of the Commission who had previously attended its meetings had taken the trouble to do so. The Chancellor of the Exchequer, too, who presided at the Board for the first time, showed by his observations that he was fully acquainted with the matters then submitted to the Commissioners for inquiry and adjudication.

7696. Was there not on the 26th April 1831 (being little more than a month after the issuing of the Commission) a committee appointed on the best mode of remunerating the Sub-commissioners, and who were the members of that committee?—There was such a committee. The members of it were the late Lord Dover, Mr. Justice Bosanquet, and Sir Robert Inglis.

7697. Did such committee meet and make any report?—Yes; the committee met more than once, and examined all the Sub-commissioners. I have the notes of the examination; they made a short report which was printed for the use of the Board.

7698. By whom was that report prepared?—I do not know.

7699. Was it prepared by yourself?—No.

7700. Did you furnish any notes or hints for it?—No.

7701. Was it prepared by the committee?—I have no doubt of it.

7702. Was there not a committee appointed on the same 26th April 1831, to consider of the best mode of disposing of the stock of publications of the Board?—Yes; Lord Brougham and Mr. Bellenden Ker were members of that committee; subsequently they had Lord Dover's assistance. On the 4th May 1831, they were instructed by the Board to take into their consideration the number of works that ought to be kept and the number that ought to be disposed of, and on the 20th of the same month Mr. Ker communicated their report to the Commissioners, and in consequence of that report, Messrs. Baldwin and Craddock were appointed to sell the surplus copies of the publications at certain reduced prices.

7703. Were you called upon to render any assistance to such committee?—No, Mr. Bellenden Ker, on behalf of the committee, had communications with Messrs. Payne and Foss, and other booksellers. I know nothing of the proceedings of that committee, except as appears from the minutes of the Board.

7704. Was there not an order made by the Board on the same 26th April 1831, that Mr. Petrie should confer with Mr. Petitt and Mr. Allen upon the contents of the different volumes of the materials for the "History of Britain" before the same go to press?—There was.

7705. Is that order still in force?—It was in force until the printing of the first volume of the materials for the "History of Britain" was suspended. The contents of that volume were made known and approved of five years ago. There has been as yet no occasion to consider what historical pieces shall compose the second volume.

7706. Who were the members of the committee appointed on the 4th May 1831, to consider the utility and expediency of collecting and publishing the constitutional records from the conquest to the accession of Edward I., and of continuing the publication of the "Parliamentary Writs"?—Mr. Williams Wynn, Sir Robert Inglis, Mr. Allen, Mr. Hallam and Mr. Utterson; Sir James Mackintosh was afterwards added to the committee, such committee met on the 1st, the 6th and the 17th June 1831, and prepared a report which is in print.

7707. Had you anything to do with such report?—Undoubtedly not. It was I believe drawn up by Mr. Williams Wynn, as chairman of the committee. Sir James Mackintosh appended to it a letter.

7708. On the 20th May 1831, was not a committee appointed to consider whether it was expedient to remove any of the public records from their present repositories, and also to consider where it would be expedient to provide repositories for the records to be so removed, &c.?—Yes; the members of that committee were Lord Canterbury, Mr. Williams Wynn and Mr. Protheroe. They visited several offices. Notes of the proceedings of that committee were read by Mr. Williams Wynn at the Board of the 10th June 1831.

7709. Was there not on the 20th May 1831 a committee appointed to inquire whether the plan of Mr. Petrie, for the publication of the materials of the "History of Britain," was in conformity with the address of the House of Commons to his late Majesty, and did that committee make any report?—Mr. Petitt and Mr. Allen formed

formed such committee. They conferred with Mr. Petrie and made a written report to the Board.

7710. On the 20th May 1831 an order was made that the secretary should procure from the King's printers specimens of the different works which were in progress on the 12th March then last (the date of the present Commission), and a statement of the prices charged per sheet for printing, corrections, paper, &c., the time of payment and other particulars, and also the variations, if any, between the prices then charged and the prices charged for the former sheets of the same works; was that order made at your suggestion?—No.

7711. At whose suggestion was it made?—I believe at the suggestion of Lord Brougham.

7712. For what object were those specimens required?—The object was to ascertain if the works in a course of publication could be produced at a cheaper rate.

7713. What was the result of that inquiry?—I took no part in it. But Mr. Bellenden Ker examined the specimens and prices, and obtained estimates from various eminent printers. The conclusion arrived at was, that whilst the charges of Messrs. Eyre and Spottiswoode were as moderate as those of any of their competitors, there was a strong probability from the peculiar nature of the work and their long experience of it, that it would be better performed by them.

7714. Was there not on the 30th of June 1832, a committee appointed to inquire into the circumstances connected with Mr. Bayley's publication of the calendars in Chancery, and his charges for the same; and did not such committee consist of Sir John Leach, Sir Robert Inglis, Mr. Hallam and Mr. Bingham?—Yes; Sir John Leach, from his avocations as Master of the Rolls, was not able to take any part in that inquiry. Mr. William Brougham was chairman of the committee, and made the report which has been printed. That committee met not fewer than seventeen times; each meeting lasted several hours.

7715. On the same 30th June 1832, was there not a committee appointed to consider the expediency of continuing the publication of the "Parliamentary Writs," and whether any alteration should be made in the plan; and also to inquire into the execution of the volumes published by Sir Francis Palgrave, and whether it was advisable that the Editor should be continued, and to recommend a rate of remuneration that he should in future receive?—Yes, Lord Canterbury, Mr. Williams Wynn, Mr. Baron Parke, Mr. Justice Bosanquet, Mr. Bellenden Ker and Mr. Allen formed that committee. The committee met at the Speaker's on the 10th July and the 18th December 1832. They made their report to the Board on the 9th March 1833. Such report was, as I have understood, prepared by Lord Canterbury and Mr. Williams Wynn. I did not attend the meetings of the committee.

7716. Was there not on the 1st of June 1833, a committee appointed relative to the materials for the "History of Britain"?—Yes, Mr. Petitt, Mr. Hallam, Mr. Allen and Mr. Protheroe were appointed a committee to inquire into the progress made in that work, the manner of its execution, the expenses incurred, and the arrangements made for its prosecution. There were two meetings of the committee; Mr. Allen prepared a series of questions which, with the written answers of Mr. Petrie and other information, were laid before the Board.

7717. Was there not in the year 1833 a survey made of certain record repositories, in pursuance of a resolution of the Board?—Yes, on the 26th November 1832, it was resolved upon the motion of Sir John Leach, that the secretary should be instructed to write to one of the secretaries of His Majesty's Treasury, stating that the Board considered it to be their duty to recommend that the several repositories of the public records should be forthwith surveyed and examined, for the purpose of ascertaining whether in their present state they are sufficient for the commodious reception of the records having regard to security from fire and damp, and to a convenient disposition of the records for the public access. And if it should appear that in their present state they are not sufficient, whether by any and what means they can be rendered sufficient. And further, that the Board took the liberty to suggest to the Lords Commissioners of His Majesty's Treasury the propriety of directing some one of the architects employed under the Commissioners of the Woods and Forests, to make the survey and examination there recommended, and that for the purpose of preventing the efficacy of that examination, the Board would nominate two of their members to be in communication with him.

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7718. Was there no further resolution upon that subject?—Yes; it was resolved that Sir Robert Inglis and Mr. Hallam should attend the architect to be appointed at the several repositories of records for the purposes stated in the resolution.

7719. Did they do so?—Yes; and they made a report to the Board, which has been printed.

7720. By whom was that report drawn up?—I do not know.

7721. Was there not a committee appointed on the 30th March 1833, to superintend the progress of Sir Francis Palgrave?—Yes; the committee consists of the Speaker, Mr. Williams Wynn, Mr. Justice Bosanquet, Mr. Petitt, Mr. Allen, Mr. Protheroe and Mr. William Brougham.

7722. Does Sir Francis Palgrave make reports of his proceedings to such committee?—Yes; he reports to it three times a year. He makes also an annual report.

7723. On the 22d March 1834, were not committees appointed on the Welsh laws and the Anglo-Saxon laws?—Yes; on that day the Bishop of Llandaff, Mr. Williams Wynn, Mr. Justice Bosanquet and Mr. Protheroe were named a committee to communicate with Mr. Petrie and Mr. Owen, and to inquire and report to the Board the best means to be adopted to ensure the speedy completion and publication of the new edition of the Welsh laws. On the same day Mr. Williams Wynn, Mr. Petitt, Mr. Hallam and Mr. Allen were named a committee to communicate with Mr. Petrie and such other persons as they might deem it advisable to consult, and to inquire and report to the Board upon the means which it might be most expedient to adopt to ensure the speedy completion and publication of the new edition of the Anglo-Saxon laws. Such committees reported to the Board; Mr. Allen prepared the report upon the Anglo-Saxon laws.

7724. Was there not some committee upon the occasion of Sir Francis Palgrave being named keeper of the records at the Chapter House?—Yes; Mr. Williams Wynn, Mr. Petitt, Mr. Bellenden Ker and Mr. Protheroe were appointed a committee to consider and state what establishment would be necessary for assisting Sir Francis Palgrave in the proper execution of his office, and what fees should be charged for searches or for copies of documents. The committee made its report, which was read at the Board of the 14th August 1834.

7725. When was Mr. Pitcairn's case before the Board; was there not a committee respecting it?—A committee was named on the 17th January 1835, to take his case (it is printed) and other papers into consideration. The members of the committee were, Lord Canterbury, the Bishop of Llandaff, Sir Robert Inglis, Mr. Petitt, Mr. Hallam, and Mr. Allen. The committee met twice. Lord Canterbury gave a great deal of attention to the matter, and prepared the report.

7726. Were not Mr. Petitt and Mr. Hallam on the 14th February 1835, appointed a committee to inspect certain sorting and calendaring operations?—Yes; they were directed to inquire into the progress made in the sorting, repairing, binding and calendaring of the records of the Augmentation Office, and the miscellaneous records of the King's Remembrancer's Office; and also in the sorting and calendaring of the miscellaneous records at the Tower, and some other matters. Mr. Petitt and Mr. Hallam made a short written report to the Board.

7727. Have not other committees been from time to time named with reference to the works and operations in progress, besides those I have mentioned?—Yes; many. For instance, there have been numerous committees to select the libraries to which the publications of the Board should be presented in his Majesty's name.

1728. Do you consider that the matters concerning which the Committees particularized by me have reported, were of an important nature?—I do.

1729. Were such matters thoroughly investigated by such committees?—They were.

7730. Was there anything in the constitution of such committees that induces you to think that inquiries undertaken and conducted by them could be less satisfactory than inquiries conducted by committees of a different character?—There was not.

7731. In the beginning of your second day's examination, you have stated that during the first two years the boards and committees were much more numerous than subsequently, and you assign as a reason, that, during that period, the Commissioners were engaged in very special inquiries upon the nature of certain works then in the progress of publication; since that time the boards and committees have

have been comparatively few; do you think it would have been desirable that the Commissioners should have assembled oftener?—No; the Commissioners having once determined upon the records to be sorted and repaired, those to be calendared, and those to be transcribed and printed, and having appointed Sub-commissioners and editors, and fixed their salaries or rates of remuneration, it cannot be requisite for the Board to assemble more than five or six times a year.

7732. Are periodical reports made to the Board by persons in its employ?—Yes; quarterly and monthly reports are made by the Sub-commissioners and other individuals paid by salaries, except in cases where their progress is under the eye of the secretary or of some member of the Board. From editors remunerated by the sheet, or the volume, reports have been rarely called for.

7733. Do you consider that such reports keep the Board sufficiently acquainted with the progress made in the works and operations proceeding under its authority?—I do.

7734. Assuming that the Sub-commissioners and editors are skilful and competent persons, do you think that a Board, not sitting oftener than you mention, would exercise a sufficient control over such Sub-commissioners and editors?—I do.

7735. Do you consider, looking generally at the constitution of the present Board, that there are in it a number of individuals who are capable of judging of the merits of the execution of the works?—I do.

7736. From your experience of the working of the Commission, can you state to the Committee that such individuals are always ready, when called upon, to examine sheets of a work passing through the press?—I can.

7737. *Chairman.*] Will you state whether the Commissioners examined the sheets of the volume of the "Rotuli Selecti"?—Those sheets were not examined by any Commissioner to my knowledge.

7738. Though there are some always ready who are competent to do this, it is not always done?—They were not called upon to examine the sheets of that work.

7739. You have stated that there are individuals among the Commissioners perfectly competent to do it, and ready to do it when called upon, but they are not always called upon to do it?—One question put to me I understood to be to this effect, whether the Board does not comprise individuals who, from their acquirements and learning, are capable of judging of the merits of the execution of the works, and then that question was followed up by another, whether such individuals are not always ready when called upon to examine the sheets of the works passing through the press? my answer is, that they are always ready when called upon.

7740. But they are not always called upon to do it?—Certainly not, unless there was some suspicion that the editor to whom the work was intrusted was incapable of performing his task, it is not likely that the Commissioners would be called upon to examine the proof sheets.

7741. Then the Committee are to understand that unless a suspicion has arisen, and the accuracy of the work is disputed, the Commissioners do not take this trouble?—Just so; with reference to the works in general, I may be permitted to remark, that there are very few of Sir Francis Palgrave's publications which have not been seen in their progress by individual Commissioners.

7742. Seen in such a way as they could judge of their accuracy?—I do not think any Commissioner has ever undertaken to collate a proof sheet of Sir Francis Palgrave's with the original record; nor do I conceive it was by any means necessary; the Commissioners whom I allude to were consulted rather as to the plan of Sir Francis's works.

7743. Sir *Robert Inglis.*] Did you ever have any conversation with any members of the Board respecting the frequency of its meetings?—I do not recollect to have had any conversation with any Commissioners upon that subject prior to the present year, with the exception of one Commissioner; that Commissioner has often told me that he did not think it requisite that the Board should assemble more than five or six times a year.

7744. Have you conferred with other Commissioners upon the subject, and do they or do they not concur in the sentiment to which you have last referred upon that point?—I have conferred with other Commissioners.

7745. Have these Commissioners been in the habit of attending the Board?—Yes, they have; the opinions of the Commissioners with whom I have happened to have conversed upon the point coincide with the opinion of the gentleman to whom I have alluded.

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7746. In your answer to question 1896, you state that the minute books of the present Board show that at first numerous estimates were laid upon the table of the Commissioners, but that the same for the most part relate to the unfinished works of their predecessors, and you go on to state that the general rule adopted by the present Board is to undertake no publication which cannot be terminated in a reasonable time, and at a moderate expense; did you mean to say that no estimates of other works were ever prepared?—Certainly not, that was not my meaning; the Committee will see that in a subsequent part of my answer to the same question, I observed that, as to the new publications, no very formal estimate was necessary, inasmuch as Lord Brougham and Mr. Bellenden Ker and the secretary were tolerably conversant with the subject, and were not likely to permit the public money to be misapplied; rough estimates were always prepared.

7747. *Chairman.*] Was this any particular work that was left to Lord Brougham Mr. Ker and yourself?—I have made no mention of any such particular work.

7748. You mean that generally instead of having an estimate of the expense, the Commissioners relied upon the care of Lord Brougham, Mr. Ker and yourself?—I have no where so stated; I have stated that rough estimates were always prepared, and that from the acquaintance which Lord Brougham, Mr. Ker and the secretary possessed with the charges for printing and paper, no more formal estimates were requisite.

7749. Then in fact the estimates were prepared in this rough form, and you thought that sufficient on account of the confidence which the commission placed in Lord Brougham, Mr. Ker and yourself?—Considering that certain members of the Board were very familiar with the subject, rough estimates were, I think, quite sufficient. Those rough estimates have always turned out to be correct.

7750. Sir *Robert Inglis.*] Would there be any inconvenience in such estimates, being for the future formally laid before the Board and entered upon the minutes of its proceedings?—Certainly not; the only reason why estimates of the sort here alluded to have not been formally laid before the Board and entered upon the minutes of its proceedings was, that such did not appear to have been in any instance the usage of the former commission.

7751. Would you recommend, that henceforth a different usage should be adopted?—I would.

7752. Do you consider that any of the publications of the present Commission could have been produced at a smaller cost?—I am quite sure they could not.

7753. *Chairman.*] For instance, that work edited by Mr. Devon, which Mr. Hunter had to do over again, was not more expense incurred there than was necessary?—Mr. Devon had to pay the extra expense out of his own pocket.

7754. Sir *Robert Inglis.*] As regards printing and paper, do you wish the Committee to understand that the work could not have been executed at a smaller price than the price actually paid?—That is my opinion.

7755-6. Assuming that the typography is to be worthy of a national work?—Of course.

7757. Then as regards the transcription and editorship?—The proceedings before this Committee exhibit, if I am rightly informed, complaints only of too low a scale of remuneration in these departments. They are, I am told, leading features in the charges respecting the conduct of the secretary.

7758. Is there not a series of records at the Rolls Chapel, called the "Inquisitiones Post Mortem"?—There is.

7759. Is not that series of records in a course of being repaired and bound under the order of the Board?—Yes.

7760. Will not that operation consume many years?—Yes.

7761. Is not that operation carried on at the request and under the superintendence of the keeper of the records and his clerks?—Yes.

7762. Are not reports made to the Board from time to time of the number of the inquisitions repaired and bound; and do not persons in the employ of the Board occasionally visit the Rolls Chapel where the repairs are in progress?—Yes.

7763. Do you consider any other superintendence requisite?—I do not.

7764. Are there not records in the other great offices of the metropolis which from long service and which it may be desirable at some future time to repair?—There are.

7765. Do not you think that the work of repairing such records might be safely carried on upon the plan just mentioned, namely, under the superintendence of the

the keepers or their clerks, and with the guarantee afforded by reports to the boards and occasional visits by persons in their employ?—I think so.

7766. Supposing that the repairs were proceeding at the same time at several different offices, do you think that the mere inspection of the work would usefully occupy the time of one or two persons?—I am disposed to think it would not; but I believe upon that subject I differ from one or two of the Commissioners.

7767. But you think it useful that one person or two persons in the employ of the Commission should occasionally visit these offices?—I see no occasion for two persons visiting the offices; but it has often struck me that it might be beneficial were Mr. Stevenson or Mr. Black instructed periodically to visit, not only the offices in which the clerks and workmen of the Commission are employed, but also all the other principal record repositories of the metropolis, and make a quarterly report to the Board of any thing worthy of notice that might have occurred therein. Such a task would interfere very little with their other pursuits. It would be requisite, however, to come to some understanding with the keepers of records, or such an interference might be deemed impertinent, and produce ill instead of good.

7768. What is the other description of work ordinarily performed under the authority of the Commission, besides the transcription, printing and repairing of the records?—Sorting, arranging and calendaring.

7769. Do the persons engaged in that work report their progress to the Board?—Yes, monthly and quarterly reports are made.

7770. Is not Mr. Stevenson engaged in sorting and calendaring the miscellaneous records at the Tower?—He is.

7771. What assurance have the Commissioners that that work is properly performed?—Mr. Stevenson formerly held some place in the manuscript department at the British Museum, and was reported to be a most industrious individual, and peculiarly skilful in that kind of operation which has been entrusted to him by the Board; he is well aware that it is to this reputation that he is indebted for his present situation, and it is reasonable to suppose that he will do nothing to forfeit it, as he knows that the eyes of the Commissioners are upon him, and that the permanence of his employment depends upon the continued and faithful performance of his task. His operations were inspected by Mr. Hallam and Mr. Petitt last year. His quarterly reports are forwarded to those Commissioners most capable of judging of the extent and accuracy of his labours.

7772. The Commission has always exercised the sort of control now described by you over the proceedings of all gentlemen engaged in the same way with Mr. Stevenson?—Yes, always, since I have been secretary.

7773. Do you consider this control sufficient?—I do.

7774. There seems no reasonable doubt of its being sufficient where the party is paid by piece-work, but may it not be doubted whether it is sufficient where the party is paid by salary?—There is a difference in the two cases; but it is to be remembered, that the salary is moderate, and that an account of the work done is rendered at short intervals; the party too cannot be uninfluenced by a circumstance sufficiently notorious in the record ward namely, that the existing Commissioners have invariably visited incompetency or neglect of duty by deprivation of office.

7775. In your examination you say, "Had the Board not constantly required pecuniary accommodation, I should long since have thought it my duty to propose that the Parliamentary grant should be paid into the Bank of England, and drawn out by checks signed by the Commissioners," did Mr. Protheroe ever make to you any suggestion of this kind?—No.

7776. *Chairman.*] Have you got any order of the Board, regarding Mr. Stevenson, to sort and arrange the records in the Tower?—I cannot produce the order at present.

7777. Is there any such order?—I think there is.

7778. He was directed to make collections for the "Fœdera"?—I cannot speak decidedly to that point without having had an opportunity of examining the minutes.

7779. You cannot without examining the minutes say whether Mr. Stevenson was sent to the Tower to sort and arrange or merely to collect for the "Fœdera"?—I very much mistake if he was not directed to sort and arrange the miscellaneous records, and also to select out of them those documents that were fit to be transcribed for the "Fœdera"; but I am not certain as to the form of the order.

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7780. Sir *Robert Inglis.*] You were referring to a mode by which the Parliamentary grant for the service of the Record Commissioners might best be paid into the Bank of England; is there not an Act of Parliament which came into operation at the close of 1834, which opens a convenient way to this object?—Yes, it is the "Act to regulate the Office of Receipt of His Majesty's Exchequer at Westminster." By that Act all public monies which were theretofore payable into the Exchequer at Westminster are directed to be paid into the Bank of England to the credit of the Exchequer; and the Lords Commissioners of the Treasury are empowered, in cases of monies voted by Parliament out of the consolidated fund or specially appropriated by Act of Parliament to any particular objects or services, from time to time to require by warrant under their hands the Comptroller-General of the Receipt and Issue of the Exchequer (an office created by that statute in the place of the abolished offices of auditors, tellers, clerk of the pells, &c.) to direct the governor and company of the Bank of England to grant credit to the persons whose duty it is to apply such monies to such objects or services, and the governor and company of the bank are directed to grant such credit on account of the sum mentioned in the Treasury warrant. It struck me the first time I perused this Act that it presented a ready mode of applying the money granted for the service of the Record Board, without its passing into the hands either of the Commissioners or the secretary.

7781. In the same day's examination, in answer to the question, "Then the Board never interferes in the actual fact of payment?" you say, "When any obstacle arises which the previous instructions of the Commissioners do not enable me to overcome, then I invariably have recourse to the Board for its directions;" can you furnish the Committee with some instances in which you have so had recourse to the Board?—Yes. In the summer of 1832, I was at a loss upon what footing to settle the account of Sir Francis Palgrave, and the matter was brought before the Commissioners at the Board held the 16th June 1832, when it was ordered as follows:—"That the secretary do settle the account of Mr. Palgrave for the year beginning March 1831, and ending March 1832, upon the footing of the arrangement made between Mr. Palgrave and the former Commission; but notice is to be given to Mr. Palgrave that the mode and rate of his remuneration for the future must depend upon the decision of the Board." Again, at the Board of the 9th August 1832, a memorial from Mr. Bayley of the Record Office at the Tower, respecting his unliquidated accounts having been read, the secretary was directed to examine such accounts for business done under the present Board, and to make him a small payment in respect thereof. The amount of such payment, it will be seen, was left to the discretion of the secretary, who advanced to Mr. Bayley 150*l.* On the 9th March 1833, the attention of the Board was again drawn to the subject of Mr. Bayley's unpaid bills, when special reference being had to the passage in the report of the committee appointed to inquire into the circumstances connected with Mr. Bayley's publication of the "Chancery Calendars" and his charges for the same, and which passage stated that the excess of charge made by Mr. Bayley in the single article of transcription was, after making every allowance, greatly above the amount of his bills still under the consideration of the Board, it was ordered, that the secretary should set off the amount of such bills against such excess of charge, but without prejudice, first to the right of the Board to claim the remainder of such excess of charge, and, secondly, to the question of the reasonableness and propriety of the items of such unpaid bills. Further, a letter from Mr. Bayley, praying for a reconsideration of his case, particularly with a view to his bills for work done under the order of the Board, and to any balance due to him for the same, having been remitted to the same committee——

7782. *Chairman.*] Then it amounts to this, that in this case of Mr. Bayley's bill, you consulted the Commissioners, and that they did something about it?—The statement that I am making is designed to show that Mr. Bayley's claim to have his bills discharged was fully investigated by the Commissioners. There was, as I have before stated, a committee appointed upon Mr. Bayley's case, which met 17 times. I now mention Mr. Bayley's bills as one of the instances in which a difficulty having occurred, the secretary went to the Commissioners.

7783. Sir *Robert Inglis.*] Have you any doubt that the perusal of the minute book would furnish many other instances in which questions were brought before the Board for their determination?—The minute book would afford many other instances. In fact, whenever there was the slightest difficulty respecting the remuneration to parties, the secretary consulted the Board.

7784. *Chairman.*]

7784. *Chairman.*] But it was always done upon the secretary's motion, was it not?—No; Mr. Bayley addressed the Board directly.

7785. You refused to pay Mr. Bayley's bill, thinking it an improper one, and he applied to the Board?—I do not think that such was the case.

7786. How did it originate?—It originated in the report of Mr. Bayley's committee.

7787. How did the committee originate?—In a memorial from Mr. Bayley respecting his unliquidated accounts.

7788. Mr. Bayley applied to the Board because you refused to pay him?—I had no authority to pay Mr. Bayley.

7789. Sir *Robert Inglis.*] Was or was not the case the same in the matter of Mr. Pitcairn, and in the matter of Mr. Cole?—Not in both those matters. Mr. Bayley made claims upon the Commissioners for work done under the old Board. I could not recognize or discharge those claims without taking the instructions of the Board respecting them.

7790. *Chairman.*] Did you not discharge some claims without taking the instructions of the Board?—Yes, for work done under the present Commission; where there has been no difference between myself and the editors or transcribers, I have discharged the account without consulting the Board.

7791. In those cases, the other parties not being satisfied with your conduct, applied to the Board?—It was no such thing.

7792. Was it not so in the case of Mr. Cole?—Mr. Cole's was a case for work done under the present Board.

7793. If Mr. Cole had taken the sum you offered to him nothing would have been said to the Board about it?—Mr. Cole's case illustrates what I stated, that whenever a difficulty arises I consult the Board.

7794. Did you consult the Board or did Mr. Cole; did not Mr. Cole apply to the Board saying that he had a claim upon the Board which you would not pay?—The matter was brought before the Board which met at the Chancellor of the Exchequer's last December.

7795. Was not it in consequence of a dispute between you and Mr. Cole that his claim came before the Board?—Yes; I have so stated several times. The case was brought simultaneously by both of us before the Board. The Chancellor of the Exchequer kindly undertook to preside at a Board called for the express purpose of having that claim adjudicated upon.

7796. Sir *Robert Inglis.*] Was the case the same in the matter of Mr. Pitcairn, that is to say, did he represent to the Board the distress he sustained from non-payment of his account, and did you represent to the Board that you did not feel, under the circumstances, justified in making any payment to him; and did you accordingly take the pleasure of the Board upon the question of the payment to Mr. Pitcairn?—The claim of Mr. Pitcairn was one which it would have been a gross breach of my duty to have discharged without taking the opinion of the Board upon it. Of course in all those cases I must exercise a discretion; where, with reference to work done under the existing Commission, there is no difference between myself and the editors, transcribers or clerks, the accounts are discharged provided I have funds in hand. Where there is any disagreement I go to the Board for the sake of relieving myself from any unpleasant responsibility.

7797. Is there not an order of the Board that in future the engagements of all persons employed in the service of the Board shall, as far as possible, be defined in writing, specifying the nature of the service and terms of remuneration?—Yes.

7798. When was that order made?—It was made on the 18th of December last, upon the motion of Mr. Justice Bosanquet.

7799. In the 11th day's examination a question was put to you respecting a letter addressed to you by the late Mr. Cayley. The chairman observed "He, (meaning Mr. Cayley) complains of the very limited time that the Speaker, as chairman, had the power of allotting to the duties of the Board, which for that reason could seldom meet for more than two hours at a sitting, the difficulty of collecting together a sufficient number of Commissioners to make a Board, most of them being persons of high rank and important official station." The question then proceeds to quote the passage of a letter written by you to Mr. Bellenden Ker. "You state yourself in that letter, substitute the Lord Chancellor for the Speaker and my course does not differ from that pursued by Mr. Cayley, except as to the reading of the minutes. You state that our meetings have been even of shorter

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duration than those of the former Commissioners, for you do not recollect one that has lasted two hours, and you state that much of that time has been wasted in discussing applications on the part of librarians and individuals for the publications of the Commission. You state at the end that after a lapse of fourteen months, since you have been in the office, an attendance at a single Board must have furnished ample proof that it was not there that the details of the business of the Commission was transacted." Now what were the dates of Mr. Cayley's letters to you and of your letter to Mr. Bellenden Ker?—Mr. Cayley's letter to me is dated the 11th June 1832, and my letter to Mr. Ker is dated the 13th June 1832.

7800. From the date of the Commission in the spring of 1831 to June 1832 did not Lord Brougham take the principal part in the affairs of the Commission?—He did.

7801. Were not the meetings of the Board generally held in the Lord Chancellor's private room at Westminster?—Yes.

7802. Were those meetings occasionally interrupted by his lordship being summoned to cabinet councils?—They were.

7803. *Chairman.*] Frequently?—Several times.

7804. Sir *Robert Inglis.*] Was it that circumstance that abridged the duration of the Board, and rendered it impossible to transact those details of business which are alluded to in your letter to Mr. Bellenden Ker?—Yes.

7805. Was it not in consequence of the Board's being thus unexpectedly interrupted or abridged that, subsequently to June 1832, the management of the Commission became in a great measure transferred to Lord Canterbury?—It was.

7806. Subsequently to that period, were the Board generally summoned to meet at the Speaker's house in New Palace Yard?—Yes.

7807. In the fifth day's examination, question 1298, Mr Protheroe is asked whether printing was not resumed before the arrangement of the records was completed? his answer is, "The arrangement, so far from being completed, is a word wholly inapplicable to the present state of the records in any one office in the kingdom, with an exception in favour of the Tower, as far as relates to the classification of the records;" have you any remark to make on the subject of the printing having been resumed whilst there were records still unarranged, and is it your opinion that, with the exception of the Tower, the records in the different offices are unarranged and unclassified?—In answer to that question, with the permission of the Committee, I will deliver in a statement which I have prepared upon this subject.

[*The same was delivered in and read as follows*:]

The question was, I believe, put by the chairman, and the implication in it is this, that the Commission has shown bad judgment in proceeding to print records, inasmuch as there was a probability that matter which ought to form part of such publication was unknown, in consequence of the want of better arrangement in the offices, and a more complete knowledge of the contents of them. This idea appears to have possessed the chairman's mind. It is found in several parts of the examination. Now, no doubt it would be a serious objection to this part of the proceedings of the Commission, had there been any show of fact or probability to justify the raising of such a charge. It is met, answered and refuted at once, by referring to what has been and are the works in which the Commission is and has been engaged.

1. The Close Rolls.—I presume no one will contend any addition can be made to the documents of this class, that have been ascertained.

2. The Patent Rolls.—The same remark may be made.

3. The Norman Rolls.

4. Rotuli de Ablates et Finibus are, I conceive, not likely to have any of the chasms ever filled up.

5. Excerpta é Rotulis Finium.—Only excerpts; but probably no other rolls of this class ever likely to be produced for the period to which this work is confined.

6. Pipe Roll of 31 Henry I.—Not susceptible of addition.

7. Pipe Rolls of Henry II., Richard and John.—The series is entire.

8. The Chancellor's Roll of third John.—Not susceptible of addition.

9. The Select Rolls from the Chapter House.—Some complete in themselves, others only excerpts.

10. Rotuli Curiæ Regis.—Complete it is believed as far as published.

11. The Pedes Finium for Richard and John.—As each of these is a distinct instrument, there is a possibility that some of them may have strayed from their proper depository, and so be unknown; but the probability is small, and the number (supposing it to be so) cannot be great.

12. The

12. The Privy Council Books.—This work is to be spoken of with perhaps less confidence than some others; but it is presumed, that Sir Harris Nicolas has not shown any want of research in seeking for the dispersed materials. These being the record books printed by the present Commission, it may fairly be asked what advantage would have been gained by delaying the preparation of them, because that, in the future arrangement of the offices, other portions of such records might be found? Thus much as to the question. The answer of Mr. Protheroe does not meet what seems to have been the idea in the mind of the chairman, but contains a general assertion, that there is nothing like arrangement in any one office in the kingdom, with an exception in favour of the Tower, qualified by a clause which to me is not intelligible. It is hard to understand how any one can have such an acquaintance with every office in the kingdom, to venture upon an assertion in which a strong censure is implied on all keepers and clerks on such establishments, and especially as it is opposed to a strong antecedent, probably arising out of the interests of persons connected with these establishments, in most instances, leading them to keep up a certain order and arrangement. Facility of reference is important to them. It is important to them to know as fully as may be what they have, as increasing the probabilities of demands for transcripts and production; and it is universally found that the keepers and clerks desire to increase the amount of record matter in their custody, because the greater the amount the more valuable their appointment; and the ascertainment of record matter previously unknown to them is much the same as addition of new material. But it may be better to look to what is the actual state in this respect of the principal offices.

1. The Chapter House.—This repository contains documents so various in their character and origin, that it is here more difficult than in perhaps any other repository to maintain any perfect arrangement, or to be sure that whatever document it contains can be at once referred to. But it is presumed that the several classes of documents are kept apart; and of the documents called "Miscellaneous," of which the number is very great, that there are calendars, with references to the places of their deposit, so that reference can be made to many of them at any time. The sub-arrangement in the classes is in some said to be complete. In other classes, at least in the class of the proceedings of the Court of Wards and Liveries, it is understood that there is a great want of arrangement. There are also many miscellaneous documents not ascertained or arranged; but the work of assorting, arranging and calendaring is going on under the care of Sir Francis Palgrave.

2. The Tower.—This repository is excepted by Mr. Protheroe out of his charge. Mr. Hardy, as I am told in his evidence, expressed a strong opinion on the arrangement being admirable, and the contents well ascertained.

3. Parliament Office.—Judging from the return made by Mr. Courtenay, December 17th 1832, it would appear that the contents of this office are well ascertained and arranged; I have no other knowledge respecting it.

4. Paper Office, House of Commons.—The Report of the Clerk of the Journals mentions schedules referring to the documents under his care.

5. State Paper Office.—The arrangement is believed to be admirable in its plan and excellent in its execution. I was shown a year or two years ago, by Mr. Lemon, a small collection of still unsorted documents which I understood to be the whole of which the nature was not perfectly well known. I pass over such offices as the Privy Council Office, the Privy Seal Office, the Office of the Clerk of the Signet and of the Board of Green Cloth as probably not in the intention of Mr. Protheroe. Neither indeed is it believed open to the charge.

6. The Duchy of Lancaster Office.—The return of Mr. Danvers, 7th of April 1832, shows an extensive acquaintance with the contents of this office, and a distribution of the records into classes; but he states that in making arrangement for their final deposit a considerable portion will require to be reassorted and their relative positions to be materially changed.

7. The Duchy of Cornwall Office.—It would appear from the return that the contents of this office are well arranged, namely, first in classes, and secondly in chronological order.

8. The College of Arms.—There is no reason to suppose that this office contains any documents which are not perfectly well known to the registrar and other gentlemen connected with it.

9. The Rolls Chapel.—The great mass of the records in this repository are in a perfect state of arrangement and kept so by the rules of the office. The exceptions are, that some of the privy seal and signed bill bundles, and that some of the decree rolls in 1833 were not in regular order, and that certain documents placed under the head of "Miscellanea" in the return of that year were not placed in regular order.

10. The Crown Office.—All the records of modern date, and as would appear by the return of 1831 well ascertained.

11. The Petty Bag Office.—The return shows a state of order and arrangement.

12. The Six Clerks' Office and other minor Offices in Chancery.—The returns from these offices manifest no want of order and arrangement.

13. King's Bench Records and Common Pleas Records.—These consist for the most part of a series of rolls and bundles. There is no defect in the arrangement.

14. Auditor and Chamberlain of the Exchequer. A new arrangement made since 1800, which is stated in the return to be as convenient as the character and nature of the records will admit of.

15. The Pell Office.—The records in this office are now being arranged, and their nature ascertained.

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16. King's Remembrancer's Records.—The long series of records are arranged. Much attention has been paid by the Commission to the arrangement of the miscellaneous records of this office.

17. Lord Treasurer Remembrancer's Records.—The remembrancer returned that the records are arranged by reigns, and every record book and index is found without the least difficulty.

18. Pipe Office.—The series of pipe rolls is complete from second Henry II. to the present time, excepting the rolls of first Henry III. and seventh Henry IV., and is kept in a state of perfect arrangement. The other records of this office, owing to their extremely inconvenient depository, and the little inquiry made after them, are not well arranged.

19. Comptroller of the Pipe.—It appears by the return that his records were not well arranged.

20. Auditors of Land Revenue for England and for Wales.—These records are not in a good state of arrangement.

21. The Augmentation Office.—It has been stated before this Committee, that there has been a new and greatly improved arrangement made in this office, under the care of the Commission. Upon this point, former parts of my evidence may be consulted.

22. Prerogative Court of Canterbury.—The wills, the most material of the documents here deposited, are supposed to be in perfect order, and are easily consultable.

7808. Can you furnish to the Committee any analysis of the account showing the expenditure upon that work of classing, calendaring and arranging, and binding the records, and if you can will you deliver it in?—Yes; the accounts have been carefully analysed with reference to the printed returns, and I present to the Committee by way of a specimen of the result, a copy of the analysis of the account for the year beginning March 1831 and ending March 1832. [*The Witness delivered in the same.*] If the Committee will take the trouble to compare this analysis with the printed return, it will be found that every sum corresponds. Even the balancing item of 363*l.* 15*s.* 10*d.*, when divided into its component parts, is correct to a fraction of a penny, which by a recent Act of Parliament it is permitted to pass unnoticed in the auditing of the public accounts. The analysis of the account for the year beginning March 1832 and ending March 1833, in like manner demonstrates its correspondence with the printed return, with one exception. Under the date of the 19th June 1832, the sum stated in the return to have been paid to Sir Francis Palgrave is 1,302*l.* 19*s.* 9*d.*; whereas 3*d.* less was paid, as appears by the account. The last item, therefore, in the printed return, which balances the disbursements for the year in question, is 3*d.* less than it ought to have been. I have had this balancing item also separated into its component parts; and the items as extracted from the accounts come to just 3*d.* more than in the printed return.

7809. In answer to questions 1301 and 1303, it is stated in substance that Lord Chancellor Brougham quitted the room and broke up the Board, and thereby prevented the discussion at the Board of a subject of which a member of the Board had given notice; can you refer to any minutes which will enable you to state to this Committee whether Lord Brougham broke up the Board in the manner here stated, or whether any other quorum Commissioners were present upon that occasion, and carried on the proceedings of the Board?—Lord Brougham was obliged to leave in order to attend a cabinet council; but the Master of the Rolls took the chair, and the business was continued in the usual manner.

7810. Had any letter of Mr. Protheroe been printed on the subject of the business which he desired to bring before the Board?—Yes; a letter containing notices had been printed.

7811. Are you aware whether each Commissioner had received a printed copy of that letter?—Yes; each Commissioner had received a copy.

7812. What quorum Commissioners were present?—The quorum Commissioners, besides Lord Brougham, who were present, were Sir John Leach and Mr. Dundas; there were also present Sir Robert Inglis, Mr. Allen, Mr Bellenden Ker and Mr. William Brougham.

7813. *Chairman*, to Mr. *Protheroe.*] Is it still your impression that the meeting was broken up when Lord Brougham left?—I consider that virtually the Board was broken up.

7814. Do you mean to say that when Lord Brougham went out of the room the meeting was in fact broken up?—I consider that by Lord Brougham's leaving the room, all the Commissioners rose as if the business was concluded, and the Commissioners appeared to me to consider that the meeting was broken up; but upon my continuing to press the motion, they put the Lord Clerk Registrar, Mr. Dundas, in the chair, and we stood talking about the table.

7815. Then in fact the meeting did not break up because one chairman having left they chose another?—It was not broken up so as not to be re-formed again; but I still adhere to my former statement. I never saw a meeting so broken up before, and I consider that the Board was broken up in a very extraordinary manner, and I felt, as I believe any other person in my situation would have felt, that my motions were attempted to be set aside. I may be in error; such however was my impression at the time.

7816. Then you and Mr. Cooper do not differ about the matter of fact, because you merely complained that Lord Brougham left the room in a way which prevented your resolutions being properly discussed, and Mr. Cooper does not deny the fact of Lord Brougham leaving the room, but he says that the meeting was not broken up, which you admit?—Yes.

7817. Sir *Robert Inglis*, to Mr. *Cooper*.] Has Mr. Protheroe ever desired that any adjourned notice of motion should take precedence at the succeeding meeting of the Commissioners?—Never.

7818. If he had expressed such a desire, should you have placed such notice at the head of the "Agenda"?—Undoubtedly.

7819. In answer to question 1327, Mr. Protheroe says, "Mr. Cooper told me he thought it inexpedient that Parliament should become cognizant of our having given what must be viewed as a pension by the Commission, that the "Agenda" would be in the library of the House of Commons, and that this grant would thereby become known;" to what does Mr. Protheroe refer?—I have not the slightest recollection of this conversation, and I will not believe that I made such a remark as that attributed to me. Mr. Protheroe must refer to Mr. Cayley's salary as Sub-commissioner, arranger and repairer of records.

7819.* Under what circumstances was that salary given?—The salary was given for services to be rendered; so far were the Commissioners from considering it in the nature of a pension, that in March 1834 an order was made that if Mr. Cayley should not on the 31st of that month be capable of discharging the duties of his office, the salary should then terminate.

7820. *Chairman*.] Did he ever discharge any duties for that salary?—I believe he did.

7821. What were they?—Superintending the operations in progress at the Chapter House, the Augmentation Office and elsewhere.

7822. Did he ever go near the Chapter House or the Augmentation Office?—I have seen him at both.

7823. Can you from your own knowledge say, that during that period when he was receiving that salary he went into the Augmentation Office more than once a year?—I have been with him there more than once.

7824. It was a period of two years, during which he was receiving that salary?—From 1831 to 1834. During the last year, however, or the greater part of it, he was incapable of going to either of those places.

7825. And you cannot speak positively to what he did during the other years?—Not positively; I believe he exercised the same sort of superintendence over the business of repairing and binding at the Augmentation Office that he had been in the habit of exercising for many years before.

7826. Do you think that beyond acting upon that habit he went to the Augmentation Office more than once a year?—I do not know how often he went there.

7827. If it has been said that he did not go to the Augmentation Office more than once or twice a year, would you take upon yourself to say that that is incorrect?—Certainly not.

7828. Sir *Robert Inglis*.] Were the accounts of the Board annually audited; and if so, can you state by whom?—The accounts were audited in 1833, 1834 and 1835; in 1832 they were not audited, nearly the whole of the money that was received from Parliament, amounting to 10,500*l*., being paid away almost as soon as it was received, in liquidation of the debts of the old Board.

7829. For the year 1833, were they audited?—Yes.

7830. By whom?—By Mr. Allen, Mr. Hallam and Mr. Protheroe.

7831. In 1834, by whom?—By the same persons.

7832. At what period of 1835?—In August 1835.

7833. By whom?—By the same persons.

7834. Do not such accounts undergo a second audit at the Treasury?—They do.

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7835. When were the accounts, beginning March 1831 and ending March 1832, audited at the Treasury?—In the winter of 1833 and the spring of 1834.

7836. Dr. *Bowring.*] Do the vouchers accompany the accounts?—Yes, and the bills also.

7837. Sir *Robert Inglis.*] In question 1832, Mr. Protheroe is asked, "Did it appear by the last audit that the secretary was overdrawn?" his answer is, "I cannot answer that question immediately." What was the date of the accounts at the last audit which is assumed to have been according to the preceding question in August 1835; was there a balance due to the secretary?—There was nearly 5,000*l.* due to the bankers and the secretary; it is certified to be due to the secretary.

7838. Does that sum form part of the debt due from the Board?—It does.

7839. Dr. *Bowring.*] Is it to be understood by that answer, that the secretary had made an advance of about 5,000*l.* to the Commission?—I have stated that the money was due to the secretary; the bankers and the secretary.

7840. Did he borrow on his own individual responsibility or on that of the Board?—That is a ticklish question; I mean it is a difficult question to know how far the bankers could recover against the secretary, the account being opened with them in the names of, and all the transactions confined to, His Majesty's Commissioners on the public records of the kingdom.

7841. Did the Board authorize the Secretary to borrow 5,000*l.* on their account?—The Board was aware that the account was overdrawn: the auditors certify, that there was a sum of nearly 5,000*l.* due to the secretary.

7842. Was that advance made by the bankers to the Board or to the secretary?—To the secretary, on account of the Board.

7843. And the Board had authorized an advance to that extent?—There is no resolution of the Board. The Committee should bear in mind that the former usage was, that the advances should be made by the King's printers; the consequence of that was, that there was no sufficient check upon the secretary: the advances made by the King's printers were comprised in their bills, and those bills were certified by the secretary to the Treasury, and so paid without any further examination.

7844. The bankers, in making an advance, do not always take a note of hand or some acknowledgment for the advance?—Certainly not.

7845. Has the secretary the power of drawing upon the bankers to an unlimited extent without giving the bankers any acknowledgment for the advance?—The present secretary has the same power with the bankers as the former Secretary had with the King's printers.

7846. And the bankers, without any reference to the Board, advanced 5,000*l.*, merely upon the checks of the secretary?—Just so; the account is opened in the names of His Majesty's Commissioners of Public Records, and the bankers had, in August 1835, advanced between 4,000*l.* and 5,000*l.* without any security whatever, either from the secretary or any other person.

7847. *Chairman.*] So that the secretary not only has an uncontrolled command over the 10,000*l.* a year, but he has borrowed on behalf of the Commission to the amount of between 4,000*l.* and 5,000*l.*?—The advances made by the bankers in August 1835 amounted to that sum; the yearly advances made by the King's printers prior to 1831, and which advances were included in their bills, often amounted to a larger sum.

7848. Dr. *Bowring.*] Do you consider yourself, as secretary to the Commission, authorized to overdraw the Commission account at the bankers' to an unlimited amount, and that without the authority of the Board?—I can only answer that question by referring to what was the usage of the former Board. The secretary could, prior to 1831, have obtained money to any amount from the King's printers; I thought that mode of obtaining the accommodation highly objectionable, and for this reason, that the secretary, Mr. Cayley, gave orders for the payment of money to his clerk, Mr. Charles Gay, or to any other person; those payments were never in any way examined; they were included in the King's printers' bills, and Mr. Cayley certified those bills to the Treasury.

7849. Then the power exercised by the former secretary as regards the King's printers you have exercised as regards the bankers?—Yes, that is the fair way of putting it. In my case, every payment is subjected to the auditors and the Treasury: in the case of Mr. Cayley it was otherwise; the gross amount of the King's

King's printers' bill might be 13,000*l.* or 14,000*l.*; he certified it, and it was paid.

7850. Did you report to the Board from time to time the large advances which the bankers were making?—There has been no formal report; the Board has been perfectly aware of such advances; the same form the debt of the Board which the Treasury has been so often urged to discharge.

7851. Have you come to any understanding with the bankers as to the rate of interest that was to be charged?—Yes, four per cent.

7852. To what extent did the bankers open the credit upon those conditions?—Not beyond 10,000 *l.*; I think they agreed, at my request, to advance 10,000*l.*

7853. At any time, then, you would have had a credit to the extent of 10,000*l.*?—Yes; but the bankers would have been surprised to find any large payment required out of the usual course; the weekly payments have generally been varied from 40*l.* to 50*l.*, for workmen's wages and matters of that description; the payments to a large amount have ordinarily been made almost immediately after the Parliamentary grant was received.

7854. But as the Board did not open the credit, and the secretary did, it is clear that they were not called upon to report to any individual but the secretary, is it not?—Yes; but it is proper to mention that the fact of an account being opened with the bankers is entered upon the minutes of the Board; a change in the bankers, which took place a year ago, is entered in like manner.

7855. *Chairman.*] Did the Board authorize an advance of 10,000 *l.* to be made upon the checks of the secretary?—No; the Board gave no authority; the Board merely acquiesced in what was considered to be an improvement upon the ancient system.

7856. Does that state of things still continue?—It still continues. There is a very large sum of money due to the bankers.

7857. *Chairman.*] How much?—It appears by the papers before the Committee that last December there was about 8,000*l.* due to the bankers and to the secretary. At present the 10,000*l.* is quite, or nearly exhausted, and all the payments are made by me out of my own pocket; the expenses of the Commission are nearly 50*l.* a week, and I defray them out of my own purse.

7858. Dr. *Bowring.*] Do you mean that the public grant for the present year is wholly absorbed?—Yes.

7859. And every thing that is done now is without authority?—Yes, that has been the usage for the last 35 years.

7860. Supposing Parliament should not grant money to pay those charges there would be debts without any responsibility?—If Parliament should decline to fulfil its engagements.

7861. Are you not incurring debts for which there is no Parliamentary sanction?—There is the address of the House of Commons. In every year since the issuing of the Record Commission there has been a necessity of some person in its employ finding, for a considerable period, the ways and means, if I may be permitted the expression; the Parliamentary grant has never been received till a long time after the commencement of the year.

7862. *Chairman.*] How do you explain the necessity of people incurring debts when they have not got money to discharge them?—There is no necessity; such has been the usage the last 35 years.

7863. There was an examination about the debts of the Board, it appears that that applies to the period of the last return to Parliament?—Yes, the accounts were made up to the 31st of December.

7864. Can you state how much debt has been incurred since?—About 2,000*l.*; I should call the necessary expenses of the Board, the expense of keeping the frame-work of the Board together, about 5,000*l.* a year; we have been going on for about six months, and that makes a debt of about 2,000*l.* in addition to what was due last December.

7865. Dr. *Bowring.*] So that the 10,000*l.* is more than absorbed?—It is.

7866. *Chairman.*] Are there not several of your clerks that have not received any thing for some months?—Every body in the employment of the Board was paid up to last December; the quarterly salaries of Sub-commissioners and clerks have also been paid up to March, but they have not been paid up to Midsummer; a quarter's salary is just become due to each.

7867. Are not the poorer clerks who cannot afford to wait for their money, paid more frequently?—I do not think there are any clerks in the situation mentioned;

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the clerks are gentlemen's sons, generally living with their parents; their salaries are small, 40*l.* a year, and they have received those salaries to Easter; there is one fact that I wish to state; it is, that the present Commission, during the five years that it has been in operation, has received about 24,000*l.* less than the old Commission did in the five years ending with March 1831; if, therefore, it had received as much as the former Commission received, during an equal period, it would not at present owe a farthing.

7868. Can you authenticate that statement by the returns?—I can, by documents in my possession; I deliver in an account of the receipts of the present Board from 1831 to 1835, which amount to 48,500*l.*, and of the receipts of the old Board from 1826 to 1831, which amounts to 72,510*l.* 14*s.* 10*d.*

[*The Witness delivered in the same.*]

Mr. *Cooper.* I am also desirous of handing in a list of the works produced by the old Commission during the years 1826 to 1830, and a list of the works produced by the present Commission during the years 1831 to 1835; such lists would very properly accompany the account of the receipts of the two Boards, and will show the quantity of work that has been done by each. [*The Witness delivered in the same.*]

7869. *Chairman.*] You have given a list in the return to Parliament of the libraries to which presents of the volumes published by the Commission have been sent, have you been instructed by the Board to make any presents of the works of the Commission to individuals?—With the concurrence of some of the Commissioners certain volumes of the Board have been forwarded by the King's printer to individuals; those volumes are entered in the King's printer's books as loans to those individuals. The design in forwarding the volumes was to obtain the opinion of those to whom they were sent respecting the works of the Board.

7870. When was that done?—Within the last fortnight.

7871. Will you state the individuals to whom you have sent them?—I will procure a list from the King's printer and furnish the Committee with it.

7872. Did you state to those individuals at the time, that they were not meant as presents?—To some of them I did: I have had personal communication only with a few of them.

7873. Do not you suppose that you would have some difficulty in getting back those loans from the individuals, that they might consider that they were presents?—Considering the station and character of the persons to whom they were sent, I think there would be no difficulty of that kind, supposing the Board should think fit to call for a return of the books.

7874. Is not it usual when you send books to a person as a loan for a particular purpose to inform him that it is merely for a special purpose?—It is usual.

7875. You would not be surprised then if those individuals consider them as presents?—Those with whom I have not communicated probably may.

7876. How many volumes have you sent to any of those persons?—The "Patent" and the "Close Rolls" and some of the octavo works.

7877. Would it be correct to say that you sent a parcel of books as high as that chair?—I never saw any one of the parcels, and therefore I cannot say.

7878. Do you suppose that would be the size of it?—I cannot say.

7879. Were they ten or twelve folio volumes?—Only two folio volumes.

7880. How many octavos?—I do not know.

7881. Were they ten or twelve volumes altogether?—I should think so.

7882. Were there twenty?—I should think not.

7883. Those were publications of the Commission?—Publications of the new Commission.

7884. Within the last fortnight you have sent those publications with the assent, not of the Board, but of two or three Commissioners, asking their opinion about those works?—Yes, with the view of obtaining their opinion upon the value of those works; I have done so upon precisely the same principle as a solicitor in conducting a patent cause would, if it were necessary to ascertain the value of an invention, send a copy of the invention to those witnesses whose testimony he wished to obtain.

7885. That has been done within the last fortnight?—Yes.

7886. Was Serjeant Spankie one of the persons?—He was.

7887. Was Sir Alexander Johnson another?—I think not.

7888. Can you state when the volumes were sent to Serjeant Spankie?—I should think about a fortnight ago.

7889. Then that must have been about ten days before he was examined before this Committee?—About ten days before he was examined.

7890. Can you state any other of the witnesses to whom they have been sent?—Mr. Baron Alderson.

7891. When were his books sent to him?—About the same time; all the books were, if I recollect right, sent about the same time. It was thought expedient to examine persons of station and learning as to the utility of those publications. The course was taken which would be taken by a solicitor in conducting a suit. We furnished to the persons who might be called upon to give evidence copies of the works.

7892. In order that the Committee might have a sound and deliberate opinion respecting the value of those works the merit of which depends upon great accuracy and great completeness, they had an opportunity of ten days for inspecting between twelve and twenty volumes?—I apprehend that the judgment of those individuals respecting the principle of such publication would be just as good after an inspection of ten hours as after an inspection of ten years. They were to be called to speak not to the accuracy of the publications but to the expediency of printing, at the national expense, the materials for our ancient political and legal history. It could not be expected that such persons as Mr. Baron Alderson would collate the pages of any one of those volumes with the original records.

7893. You thought they would have a perfect opportunity amidst their other avocations in ten days of deciding upon the propriety of publishing those works, and generally the mode of execution?—I thought no such thing as regards the execution.

7894. Then for what purpose were they sent?—For the purpose I have stated.

7895. You have given the illustration of a solicitor sending specimens of an invention to his witnesses, did you suppose in sending between twelve and twenty volumes to those gentlemen that they, amidst their other avocations, would have time to form such opinions of them as would have weight with this Committee?—I think an examination for one day of those volumes would be sufficient to enable them to give such testimony as was desired. I should have had no hesitation myself in giving testimony of the expediency of publishing works of that description after one day's examination.

7896. Will you favour the Committee at the next meeting with a list of the individuals?—I will apply to the King's printer for it.

7897. How many sets of publications have been distributed in this way?—There have been no sets distributed. The King's printer's list will show what books have been distributed.

7898. Have there been as many as fifty?—I think it very likely that applications may have been made to fifty different persons.

7899. All that has been done on the authority of individual Commissioners?—On the authority of the secretary communicating with individual Commissioners.

7900. All those were individuals of great legal and historical attainments?—All of them.

7901. And by sending the books to them it would appear that you supposed thay had not taken the trouble of procuring them for themselves?—Certainly; if I had supposed that they were in possession of the books I should not have deemed it necessary to send them.

7902. Is the Committee to infer, that there being about 50 individuals whose opinion you thought would have weight with the Committee, you thought it necessary to send them the books, supposing that they would not have them in their own possession?—It was supposed that the principle of publishing at the national expense the materials for our ancient history, was here impugned, and the design of consulting those eminent and learned persons was to establish that principle; and I apprehend that nothing more was necessary than that they should become generally acquainted with the nature of the publications.

7903. Wishing to attain this end, you did not venture to rely upon any one of these individuals happening to have those volumes of useful works in his own possession?—The volumes were not sent to witnesses, who, there was reason to believe, were already in possession of them. The greater part of the witnesses who have been examined have had the works in their possession for years.

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7904. It appears that those fifty persons whose opinion you thought so valuable you supposed had not the works in their possession?—I thought they had not them in their possession, any more than they might have in their possession the "Dom Bouquet," or "Muratori;" but I should have no hesitation in asking any gentleman as to the expediency of publishing such a collection as those, although I knew that he had not copies of them in his library. It would be necessary, however, that he should see the books before giving an opinion upon it.

7905. If you wished to take the opinion of 50 eminent historical authorities as to the propriety of publishing those works, should you suppose it so improbable that they had ever seen them before, that it would be necessary for you to send them a copy of those works?—I think it will turn out, from the recent date of the new publications, that very few of our statesmen, judges and eminent lawyers are in possession of them.

Henry Cole, Esq., called in; and further Examined.

H. Cole, Esq.

7906. *Chairman.*] IS it your opinion that the constitution of the Board would be improved by having paid Commissioners in place of the unpaid Commissioners, of which the Board is at present constituted?—I think the duties which the Record Commission has to perform are highly responsible, and such in respect of extent and nature that you could not get them performed unless you gave the persons entrusted with the performance of them sufficient motives to act; it seems to me that a very strict and vigilant superintendence would be required to perfect the arrangement and order wanting in every record office that I know.

7907. It is your opinion that the want of arrangement and of general superintendence of the records is that to which the present Commission has least attended?—Certainly.

7908. You attribute that defect to its being an unpaid Commission, and to the work being of that kind which an unpaid Commission would be least likely to attend to?—I attribute the defect to that among other causes.

7909. Have you any statement to make to the Committee respecting the expense of a salaried Board. Without entering into the details of the salaries are there any expenses incurred under the present system which would be saved by the constitution of a set of salaried Commissioners, who would discharge those duties which you think could not be performed without salaries?—I assume that any newly constituted Board should have full and absolute power over all the records, and that, as a matter of primary necessity, the present irresponsible custody which exists in many of the offices should be changed for a better custody. In my view the custody and whole management of records would be best placed under a Board of some sort or other, and I think that a considerable saving of expense would be effected for the public thereby; inasmuch as the salaries and expenses now of many persons who neglect their duty might be appropriated to a Board which performed the duty. The cost of the whole establishment would be far less than the present charges in the shape of fees and salaries. This view was discussed in the "proposal for a general Record Office." The Tower establishment at present costs about 1,100 *l.* per annum, independent of fees for searches; the Chapter House establishment about 900*l.* per annum, exclusive of fees; the fees paid at the Rolls average 1,200 *l.* per annum, which sum I consider will still have to be incurred for this office, but not in fees; at the Augmentation Office about 100 *l.* per annum is taken in fees, &c.; and at all the other offices together, say about 500 *l.* per annum, a very moderate calculation; making a total amount, now paid by the public in some shape or other, exceeding 3,800 *l.* per annum. I am satisfied that that sum would provide for a much more efficient custodyship, and the performance of several important duties of the Commission, over all the records, than the present custodyship alone. At the Tower one or two Sub-commissioners are imperatively required to prosecute effectually the compilation and perfection of calendars. This work was stated to the Board to be very important, by Mr. Cooper, three years ago, at page 8 of the "Agenda" and remains unexecuted. At the Chapter House, the superintendence of arrangement, reparation and catalogueing would fully occupy the whole individual attention of one person for some years. A Sub-commissioner would also be required at the King's Remembrancer's Office for the same duties; another at the Lord Treasurer Remembrancer's Office; another at the Pipe Office; another at the King's Bench. It was reported of this office, by Sir Robert Inglis and Mr. Hallam in 1833

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1833 ("Agenda," p. 283) "In two of the rooms are heaps of unsorted papers," and which papers I saw about a fortnight ago in the same state; another Sub-commissioner at the Exchequer of Pleas, for catalogues; another at the Common Pleas for catalogues; another at the Land Revenue, for arrangement, &c. At the Rolls Chapel, some works remain to be performed, also at the Augmentation Office; and there are other smaller offices, such as the Pell Office, the Petty Bag Office and others, all of which would require more or less care in those portions of the Commission's business which seem to me most important.

7910. This is a work of arrangement which you suppose to be so large that it would not be very agreeable or easy to undertake it, and would not probably be undertaken at all except by persons that were paid for the duty?—Undoubtedly; then each Sub-commissioner would require two or three clerks or assistants besides workmen under his direction. Here, then, are eleven offices and eleven Sub-commissioners, who must be subject to some authority. A vigilant superintendence over these eleven Sub-commissioners would consist in insuring from them a punctual daily attendance; in suggesting and deciding on the best modes of action; in seeing that they were followed out according to a prescribed plan; and in ascertaining the progress of the work performed.

7911. Have you any facts to state respecting documents discovered in the King's Remembrancer's Office at the Exchequer since the publication of several works in which they should have been inserted?—Yes; had the arrangement of the King's Remembrancer's Office been perfect, the following publications of the Board would have included documents which have been since found in that office. After the publication of the "Nonæ Rolls," there have been found numerous original inquisitions from which the rolls were compiled, and which contain more detailed information than the rolls; even rolls themselves for the counties of Salop, Warwick, Northumberland and Kent have been discovered. For the "Fœdera" there are very many documents; Parliament Rolls have also been found, which would have been included, if known, in the publication of the "Rolls of Parliament." The "Parliamentary Writs" would have contained very much matter indeed, since brought to light, *e. g.*, a whole file of "Parliamentary Writs" of the 35th of Edward the First has been found; and when Sir Francis Palgrave compiled the works he stated, "that no original writs for this Parliament have been discovered, but the returns are abbreviated on a roll, appearing to be a fragment of the Parliament Roll." Parliamentary petitions have been discovered. Petitions to the King in Council, of 28th, 30th and 32d of Edward the First; writs and returns of military service without number; returns of knight's fees, aids, suitages, and numerous feudal inquisitions of the 31st of Edward the First; writs and inquisitions relating to the possessions of John Baliol, King of Scotland, in England; documents which now would be exceedingly useful to Sir Francis Palgrave, in his compilation of the "inedited documents" of Scottish history; original writs "De terris illorum qui arma militaria recepisse debuerunt et non receperunt capiendis in manum Regis," 21st of Edward the First; the enrolment merely of the writ is printed in the first volume of "Parliamentary Writs," p. 258, and consequently the editor would eagerly have made use of the original writs themselves with the original returns, had they been known to him. Of the "Valor Ecclesiasticus," portions are also in the King's Remembrancer's Office; besides, in the Augmentation Office and Chapter House, original rolls of the "Testa de Neville" and of Pope Nicholas's "Taxation," "Inquisitiones post Mortem," which should have been inserted.

Mercurii, 6° die Julii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Sir Robert Inglis.
Mr. Pusey.	Right Hon. C. W. W. Wynn.
Sir Charles Lemon.	

MR. CHARLES BULLER, IN THE CHAIR.

Charles Purton Cooper, Esq., called in; and further Examined.

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7912. Right Hon. *C. W. W. Wynn.*] DID not the publication of the Welsh Laws originate as part of the materials for the history of Britain by a sub-editor, under the supervision of Mr. Petrie?—Yes.

7913. Since which time the sub-editor has been employed directly under the board?—Yes, since some time in the year 1834.

7914. Was not the same the case with respect to the Anglo-Saxon Laws?—Yes; Mr. Thorpe is now the editor of the Anglo-Saxon Laws, under the immediate superintendence of the board.

7915. Was not that begun under the superintendence of Mr. Petrie, as part of the materials of the history of Britain?—It was.

7916. *Chairman.*] If you were called upon to specify your authority for undertaking that work, should you specify the authority under the Vote of the House of Commons, ordering the execution of the materials for the history of Britain, or would you justify it under the Report of the Committee?—Under either. Both of those works, however, the Welsh and Anglo-Saxon Laws, were commenced as portions of the materials for the history of Britain.

7917. Upon the proposal of Mr. Petrie?—Yes. The two first editors were engaged by Mr. Petrie himself. Mr. Coneybeare was the first editor of the Anglo-Saxon Laws, and Mr. Parry was the first editor of the Welsh Laws.

7918. *Chairman.*] In your last examination, you stated, what you had referred to once or twice before, the comparative amount of the money granted during the five years this commission has existed, and during the five years preceding; on what is that estimate founded?—It is taken from the King's printers' bills, of which I have copies; and it is taken from the annual warrants of the commissioners, paid at the Treasury, of which also I have copies. The King's printers' bill and such warrant show the amount of expenditure for the year.

7919. With regard to the last five years, you have given the amount voted by Parliament in one item; the other is in different items?—Prior to 1831, the Record Commission received its money in two ways: first of all there was the King's printers' bill, which was paid at the Treasury, and which comprised not only printing and paper, but also the disbursements made by the King's printers, of a nature similar to those payments which now take place by cheques on the bankers; and in the next place there was the annual warrant, signed by the commissioners, and which was likewise paid at the Treasury.

7920. In the years previous to 1831, was there no specific sum voted in the Estimates?—It will be found that the sum mentioned in the Appropriation Act for each year does not at all correspond with the actual expenditure of the commission. The reason is, that part of the expenditure was placed under the head of Civil Contingencies. There was then, therefore, no mode of ascertaining, in the easy way in which you can at present, what was the real outlay of the board. I was a long while before I could get at it myself. But the King's printers' bill and the warrant will show the actual amount in each year.

7921. Sir *Robert Inglis.*] Have you any explanation which you wish to give with reference to the evidence of yesterday?—Yes, upon two points. It has been suggested to me, that part of my evidence yesterday may be misunderstood. I stated, in answer to a question put, I think, by Dr. Bowring, that the amount of the usual Parliamentary grant of 10,000 *l.* has been anticipated. Now, although that statement is correct in one sense, it is not correct in another. Considering that the board is in debt to double that amount, the grant may be said to be anticipated. But the estimate for this year was, with the approbation of the Treasury, prepared upon the assumption, that the debt due from the board at Christmas last would be discharged, and then the only part of the 10,000 *l.* that will have been anticipated will be that portion of it which is requisite to recompense the amount of the salaries of sub-commissioners and clerks, and the wages of workmen accrued, due during the current year, together with the cost of the materials for repairing the records. This amount is about 2,000 *l.* The remaining 8,000 *l.* would be more than sufficient to cover all expenses to March next.

7922. *Chairman.*] Surely your debts are much more than the grant for a year?—The debts are about 25,000 *l.*, including those of the old board still unsatisfied.

7923. Therefore in that sense it is anticipated to a much larger amount?—It that sense it is anticipated to more than double the amount. But, as I just now remarked, the estimate was with the concurrence of the Treasury, drawn up upon the footing that the debt would be paid. There is another point also that I wish to state; it is with reference to the copies of some of the new publications which have been sent to different judges, statesmen and eminent lawyers. I mentioned yesterday that the same were sent under the discretion which I am permitted by the board to exercise in conducting its defence before the Committee. I wish now to state that, although in point of fact the volumes are entered in the King's printers' books as sent by way of loans, yet that they must be regarded as gifts.

7924. But this is not specified in any resolution of the board granting those books?—No; the books were forwarded in the use of the discretion which has been confided to me.

7925. Sir *Robert Inglis.*] In the third day's examination, in answer to question 1091, you state that when it was contemplated to form a committee or committees for the several purposes mentioned in the question, it occurred to some one, and as you think to Lord Brougham, that almost all the most material objects had been attained by the fee-commissions issued in 1816 and succeeding years; have you any explanation to make respecting that statement?—Yes. Lord Brougham informs me that it was Sir John Leach who stated that such fee-commissions had effected all that was proposed to be done by one or more committees of the Record Board. His lordship, however, was of opinion that no beneficial change could be wrought with the existing repositories. Hence he did all in his power to further the scheme for a general record-office.

7926. Have you copies of the certificates of the auditors and quorum, or other commissioners, affixed to the accounts, March 1831 to March 1835?—Yes.

7927. Have the goodness to read them?—

THE committee appointed to audit Mr. Cooper's accounts have examined the vouchers produced for the principal payments included in the foregoing pages, as numbered from 1 to 92 inclusive, which they have found to be exact, and report that the balance of 930 *l.* 4 *s.* 9½ *d.* should be carried to Mr. Cooper's debit in the next account.

Henry Hallam, John Allen, Edward Protheroe, jun.

July 6th, 1833.

I HEREBY certify to the Lords Commissioners of His Majesty's Treasury, that the expenditure mentioned in the opposite page, and the accounts of which have been audited by Mr. Hallam, Mr. Allen and Mr. Protheroe, has been made by the authority and under the direction of the Commissioners on the Public Records of the kingdom.

Brougham.

C. P. Cooper, Esq.

6 July 1836.

THE committee appointed to audit Mr. Cooper's accounts have examined the vouchers produced for the principal payments included in the foregoing pages, as numbered from No. 93 to 217 inclusive, which they have found to be exact, and report that the balance of 1,182 *l.* 7 *s.* 6 *d.* should be carried to Mr. Cooper's debit in the next account.

Henry Hallam, John Allen, Edward Protheroe, jun.

June 24th, 1834.

I HEREBY certify to the Lords Commissioners of His Majesty's Treasury, that the expenditure mentioned in the opposite page, and the accounts of which have been audited by Mr. Hallam, Mr. Allen and Mr. Protheroe, has been made by the authority and under the direction of the Commissioners on the Public Records of the kingdom.

Brougham.

THE committee appointed to audit Mr. Cooper's accounts have examined the vouchers produced for the principal payments included in the foregoing pages, numbered from 216 to 416 inclusive, which they have found to be exact, and report that the balance of 4,394 *l.* 4 *s.* 9¾ *d.* should be carried to Mr. Cooper's credit in the next account.

Henry Hallam, John Allen, Edward Protheroe, jun.

August 4th, 1835.

WE hereby certify to the Lords Commissioners of His Majesty's Treasury, that the expenditure mentioned in the opposite page, and the accounts of which have been audited by Mr. Hallam, Mr. Allen and Mr. Protheroe, has been made by the authority and under the direction of the Commissioners on the Public Records of the kingdom.

J. Abercrombie, Brougham.

7928. It appears from the terms of the last certificate that the signatures of The Speaker and Lord Brougham were affixed to it after the auditing of the accounts by Mr. Hallam, Mr. Allen and Mr. Protheroe?—Yes, several days afterwards.

7929. In different parts of your examination you speak of a report of the Treasury auditors?—It is a report dated the 11th February 1836.

7930. Who were those auditors?—Mr. Brooksbank and Mr. Sanford, gentlemen to whom I am obliged for much valuable advice and assistance in various matters connected with the Record Commission accounts. I must say that on no occasion have the gentlemen at the Treasury proposed anything which was not calculated to simplify the accounts in the first instance, and eventually, as their experience has taught them, to save infinite trouble to the accountant. They have always taken a plain sensible straightforward business-like view of our accounts, and the improvements which they have pointed out have been intelligible, important and practicable.

7931. Do not Messrs. Brooksbank and Sanford mention some communication with the committee of the Commissioners, of which the Chancellor of the Exchequer was chairman?—Yes. The auditors state that during their examination of the accounts they had received from a committee of the members of the Record Commission an intimation of their desire to communicate with them on some points connected with the mode of managing the financial affairs of the commission, which the committee then had under their consideration, and that in this communication they, the auditors, had an opportunity of making some suggestions respecting the accounts rendered by the commission, which they should otherwise have thought it their duty to submit to their Lordships' consideration, but as the committee most cordially concurred in their views, and furthered them by measures of their own proposing, they had little more to do than to state to the Lords of the Treasury the several improvements in the system, which the committee expressed to them their intention of recommending to the board of commissioners.

7932. What are the improvements mentioned in the reports of the committee of the Commissioners and of the Treasury auditors?—The improvements are as follow: 1st. That there shall be a clear and satisfactory classification of the whole expenditure under appropriate heads, as similar as circumstances will permit with the classification observed in the annual estimate and accounts laid before Parliament by the Trustees of the British Museum. 2nd. The expediency of applying to the Treasury for the means of liquidating the debts which the commission have incurred in consequence of the claims which the late commission left undischarged. 3rd. The avoidance of borrowing money from the King's printer, or from any private banker, or other person, in future. 4th. The

The deposit of the funds of the commission at the Bank of England, with a regulation by which the drafts for payment thereout shall in future be signed by three of the commissioners, and countersigned by the secretary, each check stating the name of the person paid, and the service for which the payment is made. 5th. The payments to be always in full of a service up to a particular day, instead of being made on account. 6th. The accounts of the commission to be rendered to the Treasury annually instead of biennially. 7th. That all articles of stationery should be obtained from the Stationery-office. 8th. That the King's printers' bills should be submitted to the comptroller of the Stationery-office before payment. 9th. That the dealings of the commission for books should be confined, if possible, to our bookseller, so that there may be only one account for this part of the service.

7933. Do not the reports of the Treasury auditors and the committee contain particular suggestions with reference to the classification of the accounts?—They do.

7934. Can you state the same?—Yes; a passage in the report of the Treasury auditors will furnish all the information you will probably require. With reference to the classification of the future accounts for this service, commencing with the account to be rendered for the year ending the 12th of March 1836, the auditors suggest it might be satisfactory for the Lords of the Treasury to see the several principal heads under which it was proposed hereafter to distribute the disbursements, namely, cleaning and arranging the records, salaries, and other expenses in transcribing, foreign expenditure, compiling catalogues, stationery, printing, bookbinding, purchase of books, salaries and wages, repairs, chests and furniture, rent, coals, candles, soap, and other necessaries, coach-hire, porterage, postage. Distinct from the above heads, the auditors report that it was proposed that an account should be kept of the expenditure attending presentation copies, and that a separate account should also be opened for all the principal works carrying on by authority of the commissioners, for the purpose of showing the amount expended on each publication.

7935. What does the report of the Treasury auditors say as to the present debt of the board?—With reference to the whole of the debts of the present commission, they say that they could not refrain from expressing their opinion, that as they must at some time be cleared off, and as the sums borrowed are attended with an annual charge for interest, and the accounts are embarassed and rendered complicated by them as long as they continue, the sooner they are entirely liquidated the better.

7936. Sir *Charles Lemon.*] When was the plan which you have now proposed adopted?—The committee for inquiring into the financial state of the commission, was appointed on the 18th of December. The first meeting took place at the Chancellor of the Exchequer's, in the same month of December. The Chancellor of the Exchequer himself states, in the report which he drew up, that it is impossible to carry into effect the recommendations therein contained whilst the present debt is unpaid. It is obvious, for example, that as there is no fund upon which the commissioners can draw, the secretary cannot present to them any cheque for their signature.

7937. Is that plan now in operation?—All those parts of the plan that can be adopted have been adopted, but the most important parts of the plan are impracticable by reason of the existence of the debt.

7938. Those parts which are practicable, how long have they been in operation?—Ever since the report was made, which was in January last. The King's printers' bills were immediately subjected to the comptroller of the Stationery-office; and I beg leave to state that that was done in consequence of an order of the board, and not in consequence of an order of the Treasury; the board forwarded an order to the King's printers to submit their bills to the Stationery-office.

7939. Sir *Robert Inglis.*] You are desirous of placing on your evidence your plan for classing the disbursements of the board?—Yes; although that plan was not prescribed to the Chancellor of the Exchequer until December last, it was drawn up by me in its present form soon after I received the Treasury letter of July 1834, with the exception only of two or three changes, made in consequence of some valuable hints with which I was favoured by Mr. Spring Rice. I will deliver in a copy of it; it is entitled, "Suggestions for the Consideration of the

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Right Honourable the Chancellor of the Exchequer, of the Heads under which the Expenditure of the Record Board should in future be arranged."

[*The same was delivered in, and is as follows:*]

SUGGESTIONS for the Consideration of the Right Honourable the Chancellor of the Exchequer, of the Heads under which the Expenditure of the RECORD BOARD should in future be arranged.

(A) Sorting, cleaning, arranging, repairing and binding the Public Records in the Augmentation-office, King's Remembrancer's office, Rolls Chapel, and other Repositories.

1. Wages of workmen employed.
2. Materials, parchment, vellum, paper of different kinds, sponge, soap, tape, thread, bags, woollen and linen cloths, &c. presses, tools, &c.
3. Bills for binding.
4. Bills for chests, boxes, articles of furniture. Also bricklayers' and carpenters' bills, if any more should occur.
5. Coals, wood, &c.

(B) Printing of the Public Records.

1. King's printers' bills, for printing and paper only.
2. Any other printers' bills.

(C) Transcription.

1. The salaries of clerks employed in copying.
2. The sums paid to persons not having salaries, stating the copies made, the length and rate per folio.
3. A distinct account of the sums paid for searches and transcripts at Paris, Lille, Königsberg, Rome, Lisbon, and elsewhere abroad.

(D) Compilation (of catalogues, &c.)

1. The salaries of the persons, if any, exclusively employed in this work.
2. A statement of the sums paid to persons having no salaries.

(E) Salaries and other remuneration of the sub-commissioners, editors, sub-editors and other persons in the employ of the board, not comprehended under any of the foregoing heads.

(F) Bills for books, with an explanation for what particular object the same are purchased.

(G) Expenses attending the distribution of the publications of the board to libraries and other repositories, at home and abroad, as binding, printing the names of such libraries and repositories on the reverse of the title-page of each volume, packing-cases, packing, carriage, porterage, postage and other charges.

[These expenses have hitherto formed part of the King's printers' bills for printing and paper.]

(H) Law-stationers' bills for copying, as Returns to Parliament, &c.

(I) Rent of rooms and incidental expenses there.

(J) Postage, porterage, coach-hire; distinguishing the amount of each.

(K) A separate head for each printed volume, exhibiting the exact cost for transcription, compilation, whether of text or indexes, authorship, editorship, printing, paper, &c.

(Mr. *Cooper*.) Upon comparison it will be seen, that this plan for classing the disbursements of the board differed only from that which was proposed by the Chancellor of the Exchequer, commended by Messrs. Brooksbank and Sanford, and ultimately approved of by the Lords of the Treasury, in the circumstance of its being somewhat more detailed and minute, and therefore probably presenting greater and unnecessary embarrassment in the final auditing of the accounts.

7940. *Chairman.*] Was that plan, which was adopted at the suggestion of the Chancellor of the Exchequer in December last, similar to that proposed by Mr. Protheroe in 1833?—I am not aware of any plan which Mr. Protheroe proposed. With reference to an item in the list of the debts of the board (I think it amounted to about 1,800 *l.*), occasioned by presenting the publications of the board, in His Majesty's name, to different libraries at home and abroad; I beg leave to hand in this statement: it is entitled, "Statement respecting

respecting the Distribution of the different Works published by the Record Commission."

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[*The Witness delivered in the same.*]

(Mr. *Cooper.*) Another statement, which I beg leave to hand in, is with reference to the charges connected with the present localities of the records; it is a statement succinctly tracing the history of the depositories of the records of the metropolis, from an early period. It shows the exertions made by the commissioners to procure a general record-office, and the obstacles that have been thrown in their way, and the views that the commissioners entertain of the improvements that may be effected, if such a project were carried into execution. Such improvements the board considers cannot take place whilst the records remain scattered in their present repositories.

[*The Witness delivered in the same.*]

7941. Right Hon. *C. W. W. Wynn.*] You have presented certain accounts and statements, drawn by yourself, of the method of keeping the accounts of the commission; have you manifested any unwillingness to adopt any improvements in the mode of keeping the accounts?—No. I cannot forbear to show that that assertion is disproved by the very minutes of the order appointing the committee, from which the report on the financial state of the committee proceeded. That order was made at a board at which there were present the Archbishop of Canterbury, Lord Brougham, the Secretary of State for the Home Department, the Chancellor of the Exchequer, Mr. Justice Bosanquet, Sir Robert Inglis, Mr. Petitt, Mr. Bellenden Ker, Mr. Hallam, Mr. Allen, Mr. Protheroe, Mr. Utterson and Mr. William Brougham; and the minutes of this same order were read and confirmed at a board at which there were present The Speaker, the Bishop of Llandaff, Mr. Williams Wynn, Mr. Hobhouse, Mr. Baron Parke, Mr. Justice Bosanquet, Sir Robert Inglis, Mr. Petit, Mr. Hallam, Mr. Allen, Mr. Protheroe and Mr. William Brougham. The minutes of the order are a follows: "The Chancellor of the Exchequer having stated that it appeared, from the accounts forwarded by the secretary to the Treasury, that there was, on the 12th March 1835, a sum of nearly 5,000 *l.* due to the bankers and the secretary, and the secretary stating that notwithstanding the receipt of the last grant the existing debt was of a larger amount; and the Chancellor of the Exchequer having drawn the attention of the commissioners to a letter addressed to the board by the Lords Commissioners of the Treasury, in the month of July 1834, and the secretary stating that although many of the suggestions contained in that letter would be found to be adopted in the accounts of the year succeeding July 1834, and which begun 12th March 1835, yet that other suggestions could not be adopted, by reason of the large debt incurred by the board, and wholly arising out of the liabilities of the former board, which it had discharged; and that there were, in his judgment, other grave defects in the system under which the pecuniary affairs of the commission were carried on, which, from the same cause, it was difficult, if not impossible, to remedy. It was ordered that the Right Hon. the Chancellor of the Exchequer, Mr. Brougham and Mr. Protheroe do form a committee to inquire into and report upon the above-mentioned matters." The minutes, too, of the proceedings of the committee at which only the Chancellor of the Exchequer and Mr. William Brougham attended, also prove anything but unwillingness, past or present, on my part, to adopt the method suggested in the Chancellor of the Exchequer's report, as to the pecuniary affairs and accounts of the commission. It is not, however, requisite for me to produce those minutes; Mr. Spring Rice is much too clear headed and familiar with business of this kind not to have discerned at the first view that of the method suggested part only could, under existing circumstances, be adopted. After mentioning, therefore, a part of the old system, which had been abandoned by desire of the Treasury, signified in an official letter, dated 22d July 1834, the Chancellor of the Exchequer says, "That letter contained several other suggestions, in respect to alterations in the financial management of the affairs of the commission, but as it was received in the middle of the year it has not as yet been carried into effect;" and after submitting to the board some observations respecting an improved system of disbursement and account, he adds, "Your committee regret to say

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that some difficulties will be found to exist, and to impede the immediate execution of these necessary changes, in consequence of the heavy debt."

7942. Have you ever had any correspondence with Mr. Spearman of the Treasury on the subject of the accounts?—Never before the present year. In the present year, since Mr. Spearman was appointed under-secretary at the Treasury, I have received some letters from him, the purport of which I do not at this moment recollect. They did not relate to the mode of keeping the accounts.

7943. In the various recommendations of gentlemen which you have submitted to Lord Brougham and the board for employment under the commission, did you ever name a relation or a friend?—No, I have no relation in the employ of the board. There is not, and has not been, any person in the employ of the board whom I ever saw before I accepted the office of secretary, with two exceptions. The one exception is Sir Francis Palgrave, whom, I believe, I had once met at dinner. The other exception is my clerk, Mr. George Smith. I may be permitted to add, that amongst the numerous names of persons to whom payments have been made for temporary and short services, two only occur of individuals who were not utter strangers to me prior to March 1831. That of a Chancery barrister, of whom mention was made at the close of the 11th day's examination, and a young man named Mitchell.

7944. Is there any explanation which you wish to give with reference to a statement in the evidence as to the expense of your establishment, the rent of your house and the repairs, and so forth?—Yes; an estimate has been given in Mr. Protheroe's evidence, in answer to question 2137, of the cost of what is called the secretary's establishment. In that there are, amongst other items, the following: house-rent, 70 *l.*; repairs of the same house, 382 *l.* 15 *s.* These items, placed in juxta-position, naturally would lead the Committee to conclude, in the first place, that the rent of the house in Boswell-court is paid by the commission; and, in the next place, that the house has been put in repair out of the commission funds. As to the rent, the fact is as stated in the return made to the House of Commons in December 1833. The board pays only the rent of such rooms in that house as are appropriated to its use; and it pays such rent according to a valuation made some time ago. Since I have seen Mr. Protheroe's evidence, I have caused a fresh valuation to be made by Messrs. Savage and Boyce, who state, that on the 4th of the present month, they surveyed the offices and apartments in my house, No. 7, New Boswell-court, appropriated to His Majesty's Record Commissioners, and that the rental of the above, including taxes, is worth from 75 *l.* to 80*l.* per annum. As to repairs, Mr. Protheroe, when he wrote "repairs of same house, 382 *l.* 15 *s.*," could only have in view the following entry in the ledger: "Cash paid Heard for fitting up front attic and front kitchen, for use of record cleaners; also fitting up second floor for use of clerks, and for book-cases, presses, boxes, &c., for keeping parchment and materials, records, &c., as per bills paid at the following periods: 1833, August 24, 67 *l.* 9 *s.*; August 31, 48 *l.* 5 *s.*; September 7, 113 *l.* 2 *s.*; December 24, 45 *l.* 13 *s.*; 1834, February 17, 108 *l.* 6 *s.*; Total, 382 *l.* 15 *s.*" The Committee is aware, from a former part of my examination, that for a considerable time the operation of cleansing the records of the King's Remembrancer's-office was carried on in Boswell-court. The house was like a large workshop. The dirtiest part of the operation was performed in the front attic and the front kitchen, which were altered for the purpose. The rooms in the second floor were furnished with shelves and cases for the books of the board, and were set apart for the clerks and transcribers. A room on the ground floor was also furnished with cupboards and shelves for parchment and paper; but neither in these rooms, nor in any other part of the house, did any reparations take place at the cost of the commission. I can, however, lay before the Committee copies of the bills. They comprised boxes, presses, &c., for the records at the Augmentation-office, and various other particulars.

7945. In the same estimate are the following items: "Drescher, foreign corresponding clerk, 70 *l.*; Wylde, copying clerk, 50 *l.*; Mitchell, another, 21 *l.*; Gunton, another, 21 *l.* 17 *s.*; Leaver, another, 21 *l.* 7 *s.*" Do you wish to make any observation upon those items?—Certainly I do. Mr. Protheroe ranks them as part of the expenses of the secretary's establishment. Upon the same principle he might carry to the same head all the money granted by Parliament. Concede that those items belong to the secretary's department, and I will undertake

undertake to prove, beyond the possibility of doubt, that to that department, and no other, must be attributed the whole 10,000 *l.* per annum, voted by the House of Commons. But, nevertheless, the Committee, in case any of its Members should be disposed to take a somewhat different view of the matter, will perhaps allow me to say that Drescher, who is called by Mr. Protheroe "A foreign corresponding clerk," has never written a Record Commission letter, either foreign or domestic, during the four years he has been in the board's employ; that Mr. Wylde and Mr. Gunton were young transcribers recommended by one of the commissioners, employed for a few weeks upon Rymer's Collectanea of the British Museum; that Mitchell had, for a short time, a similar occupation; and that Mr. Leaver is a respectable law-stationer in Carey-street, in whose office all official papers, wanted in haste, have been copied.

The Rev. *Joseph Hunter*, called in; and Examined.

7946. *Chairman.*] DO you wish to make any statement to the Committee respecting the alleged inaccuracies in the volume of the Rotuli Selecti?—I wish to return into the hands of the Committee a copy of that work which was put into the hands of Mr. Sweet, the bookseller, containing in the margin a great number of notes. I wish, with the permission of the Committee, to thank them for the opportunity which they gave me of examining those notes. The work I was sensible, before this copy was put into my hands, was open to objection, though I was not sensible of that at the time it was published. I had cleared it of a great number of inaccuracies, as may be seen here: there are five pages of them. I had also cancelled some leaves in the work; but I certainly was not aware that so many things remained in it, which, as I now know, ought to have been corrected. I was first aware of that, not from this book, but from other information. At the same time, there are here some things to which I should wish to call the attention of the Committee, inasmuch as this book, having been lying about in this room, has, I dare say, been seen by every Member of the Committee who has been accustomed to attend; and an impression must have been made of much greater imperfection than really belongs to it. In the first place, a very large portion of those annotations are merely notices of this kind; "um" for "ū" struck over; "p," struck through, for "per," and the like. Now I believe there is no publication of the commission, I doubt whether there is any record publication, except Domesday, in which this is not the case; perhaps I might except also one of my own books, that is the Pipe Rolls. The Pipe Rolls are written in an earlier and remarkable character, and it is of some importance to preserve the minute peculiarities; but when you come to the reign of John, and to such documents as the Patent Rolls and the Close Rolls, there is such abundance of manuscript of that age, that there is no great advantage in preserving those minute peculiarities. Now a great number of these proposed alterations are of that kind. Mr. Devon might or might not set out with the principle that he would adhere to those minute peculiarities. If he adopted the principle he did not adhere to it, for the book abounds in variations of that kind, so much so, that, instead of there being perhaps only the number which are exhibited here, there are probably hundreds.

7947. Do you mean in the pages that have been compared in this way?—No, in the whole volume.

7948. It would be an error of taste, or perhaps even more, on the part of Mr. Devon to have printed in one way in one part of the book, and in another way in another part, would it not?—Certainly. I think that a principle should have been laid down at the beginning; and having laid down a principle, he should have adhered to it. If he had, however, laid down the principle to make his work in this respect exactly conformable to the original, I should expect to find violation of the principle, for it is next to impossible to keep up to such a principle in works of any magnitude.

7949. But still he should have adhered to the principle, and not had any part of the book upon a defective principle?—There is no gentleman who has greater experience in this species of editing than Mr. Hardy. I should be glad that the Committee should ask his opinion.

7950. *Chairman* to Mr. *Cole.*] These corrections are yours, are they not?—Yes.

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7951. When you marked these as errors, what was the amount of error that you meant to express?—I should by no means allude to the work as abounding with errors, had they merely been errors of spelling, such as "partium" written "pcium," "Regis" for "Reg'," &c.

7952. It appears from the corrections in the copy that you have reckoned those as errors?—Yes. In undertaking to compare the printed copy with the original, I should correct everything that appeared to me to be wrong; but I should never have produced inaccuracies of mere typography as important errors.

7953. Might not you either have "ū," with a dash over, or "um," so long as you adhere to the same plan throughout?—No, if you undertake to produce a fac-simile of the record, you preserve letter for letter, and indicate wherever anything is wrong; but if you extend the orthography, you should extend it throughout. This work, however, professes to be a fac-simile of the record.

7954. (To Mr. *Hardy.*) Will you state your opinion upon this subject?—It is almost impossible to obtain a *verbatim et literatim* copy of the original. I myself have collated and compared the printed sheets three times with the original, and even gone over them a fourth time and found errors.

7955. Is it an error or is it not?—I would not call the instance in question an error, unless you consider everything an error which does not correspond entirely with the record. I think it is impossible to avoid such errors; it does not affect the sense in the slightest degree; still, however, it does not correspond so exactly with the record as it should in all cases.

7956. Then the corrections which Mr. Cole has made in this respect are rather hypercritical; but still, if it had been done as he says it ought to have been done, it would have been done better than it is at present; but the improvement would not be very material?—No, unless the sense of the document were affected.

7957. *Chairman* to Mr. *Hunter.*] Is that a fair view of it in your opinion?—I think it is, with certain additions; there has no work of the commission appeared with that extreme exactness; I know that some of the most exact editors do not adhere to those minute peculiarities. I have seen it in works which the Committee will excuse my mentioning, but which are certainly amongst the best edited works of the commission. In those minute peculiarities where there is no meaning involved, there is a great licence and discretion taken. But I have another circumstance to mention, which is more material, as far as respects myself; having written so much of minute historical inquiry, as I have done, my reputation for accuracy in some measure concerns the country. I did not put these in the corrigenda, not that I did not know some of these variations were there; many of them I knew were there; but I did not put them in the corrigenda, because it was not within my commission to do so, nor was it indeed worth while. The Committee knows that this book was nearly the whole of it printed before I knew anything of it, and I had nothing to do but to read it over with the editor, who was Mr. Devon, of the Chapter-house. It was supposed that he had committed a number of mistakes, and I was desired to follow upon the roll while he read it to me; that was the way in which the greatest part of this book was prepared.

7958. Then in this you followed the instructions of the commission?—Yes, I followed the instructions of the commission; but I am sure the commission would have wished me to exercise my discretion upon it, and to have done what I now see I ought to have done; for when I placed my name upon the title page I ought not to have been satisfied with that mode of collation; I ought to have it collated by finger collation, as the only way in which I could say that it was mine.

7959. You have been led into a little error by confiding too much in a certain degree of accuracy in the work as originally printed?—Certainly.

7960. You did not take all the precautions that you would take now?—Certainly, I perfectly admit that; to proceed: all these immaterial corrections make a great show upon the margin of the book, as if they were so many substantial inaccuracies; but besides that, there are certain queries of Mr. Cole, those also make a show; and to one looking cursorily only, as Mr. Sweet and others have done, they might be taken as further corrections, whereas they are only something for his future consideration; there are also parts of words that have been erased. Now it did not enter into Mr. Devon's plan to print words or syllables which had evidently been erased as the scribe proceeded, because mere

mere mistakes; and therefore, though you might question the propriety of his plan in this respect, and say that they ought to have entered into it; yet as they did not enter into it, it is the plan that is to be blamed, and not the execution; and still less am I to bear any share of the blame, because I was not to introduce new principles into his work; I was only to see the work cleared as well as might be of its errors, not to interfere with the principles which the editor had adopted; to introduce new principles the book must have been printed again.

7961. What is the importance of those?—I do not think that they are of any importance; I agree with Mr. Devon, that there was no necessity to introduce them in the printed text; there is not a particle of meaning to be picked out of any of them; they are mere clerical errors, and ought no more to be introduced into a printed book, than a person copying a picture with a hole in it should copy the hole.

7962. *Chairman* to Mr. *Cole.*] Did you understand that that was the effect of those omissions?—I quite admit Mr. Hunter's observation, that there are a number of queries there, but I think it would rather bring the matter to a close, to see whether the errors that I allude to are words omitted.

7963. Are those words important?—I think they are important, if you undertake to give a fac-simile of the record.

7964. (To Mr. *Hardy.*) Do you think those variations are of any importance?—Not unless they affect the sense; many are evidently clerical errors. —(Mr. *Hunter.*) I have now shown that there are a number of things in the margin of this book, which wear the appearance of defects and faults without being really so; and amongst them such notes as the proposed restoration of syllables like "stak," which had been struck out, the scribe who having written it thus, immediately writes the word which he intended to write in a correct way. Now Mr. Devon's plan was not to introduce those incorrect and cancelled syllables, and I certainly accord with him. Further, amongst the most remarkable of the things which are observed as being faults in this book, there is said to be an omission of three lines in three several places, this is noticed in this front page, where it would of course attract the eye of any person who took up this book; it is said at page 15 there is "a line omitted," at page 25 "a line omitted," and at page 32 "a line omitted." I asked a gentleman who is a Member of this Committee, in what sense he understood those expressions, "a line omitted," and he told me that the impression upon his mind was, that there was a line of the record omitted; and I think the impression of any person seeing this book would be, that there was a line of the record omitted, which would have been a very grievous and serious mistake, and which could not have been committed either by Mr. Devon or myself, without a charge of very great negligence indeed. Now instead of these being lines omitted, I will state to the Committee exactly what they are: they are imperfect entries, in which the scribe immediately after having written them, seeing that he had made a mistake, drew his line over them, obliterated them, and proceeded to make the proper entry. I requested that the rolls might be brought here, in order that the Committee might see distinctly how it was in the rolls themselves, which would have made the Committee sensible at once of the nature of those alleged omissions of lines; but without the roll I think it is easily done: here is "Magr Nicol Fisicus dni G. fil. Pet' fit litteras," an imperfect sentence. The scribe was going on to have given the purport of those letters, but it occurred to him that it would be better to give the writ itself, and therefore the writ immediately follows, he drawing a line over those words which are evidently imperfect and convey no meaning.

7965. In copying a record, ought the editor to have taken those liberties with it?—In my opinion, when the records were printed, there was no occasion to print this, it was a clerical error; oftentimes cancellations should be retained because they may contain curious matter; but here there was no meaning, no inference could ever be drawn from it, and it would be a mere deformity of the book.—(Mr. *Cole.*) It is evident that the scribe considered that he had a sort of licence in enrolling these things in what way he pleased.—(Mr. *Hardy.*) If you preserve cancellations in one case, you should preserve them in all. It is impossible to know where to draw the line unless you do.—(Mr. *Hunter.*) I think myself that the line is easily drawn; but that would lead us into a long discussion, and after all it is a matter of opinion. We will take another of them, "Rex cīnibus, &c. Sciatis q ꝑdonaīm Gilb̄to de Sukeling jugam." Now

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it is clear that this is a mere error of the scribe, who had begun to write again the entry which immediately precedes; he had copied over again the first line of this writ, a mere mistake, and he draws a line over it.

7966. Of course there could be no object in putting that in, because it is a mere error, which anybody in copying the most exactly may commit: for instance, it is what a printer might do with an Act of Parliament, he might reprint the same line twice over; but it would have a very different effect if the printer took the licence of altering the wording of a clause, and put it in one way first, and then changed his mind and put it in another shape, which would afford evidence not of his having committed an error, but of his having thought himself justified in exercising that sort of discretion?—I think it is a mere error, one of those mistakes that all persons who write are liable to fall into.—(Mr. *Hardy.*) In very many instances it is of the first importance to preserve cancellations.

7967. Would not the existence of such a cancellation as the first, in page 15, where the man has not merely made a slip of the pen, but has altered the wording altogether, and the form of making the entry, show that the man was not a mere reporter or clerk, who copied exactly, but was trusted with some discretion himself as to the form in which he made the entry?—But that is proved by half the entries in the book; sometimes the entry is of the writ at large, sometimes a mere memorandum that a writ was issued. The way in which what I have now been saying bears upon the subject before the Committee, is this: they are not "lines omitted," in the sense in which those words would be understood, but lines omitted, on the opinion that they ought to be so; that opinion may be right, or it may be wrong, but still it is an opinion which a man may fairly entertain.

7968. In short, it would amount to this, that the book was inaccurately edited in the common sense of the word; not as though the editor had not been careful enough in preserving strict accuracy, but that he had exercised a discretion which may or may not be thought proper?—Yes, it comes pretty nearly to that; but it ought to be no subject of charge.—(Mr. *Cole.*) These specifications are not of the class of errors about which, in alluding to the accuracy of this book, any mention would be made.

7969. (To Mr. *Hunter.*) It is understood that the object of the remarks you have been making hitherto is to show that a large number of the corrections which appear in that corrected copy are not corrections of what you would admit to be inaccuracies, but some corrections of purely unimportant inaccuracies, corrections, and others, not of positive inaccuracies, but merely marks of difference of judgment as to the proper method to be pursued in printing?—That is stated very correctly; but this must go along with it in considering the part that I had in it, that if the editor had not thought proper to introduce those cancelled lines, there was no possibility to introduce them; it was not for me to come with a new principle, and say that they should be here.

7970. Then not only is the inaccuracy so much a mere matter of judgment, but even if you had agreed with those who hold that it ought to have been printed in a different form, it was not a correction you could have made?—No, certainly I was not to introduce a new principle. I think I have now nearly got through those things which one may call immaterial, and which wear the appearance of inaccuracies without being so. Now turn to the leaf to which public attention has been so much drawn; the imperfections of this leaf are not to be taken as specimens of the way in which this Irish Patent Roll is edited. This leaf is the wrapper of the roll; it is the part of the roll which was outside in a state of decay, and the writing much fainter, and far less legible than any other part of the roll; so much so, that I do not wonder that Mr. Devon, or that myself, especially if it happened that we were collating on a cloudy day, should not have perceived some things which may be here. The word "Regi," for instance, which has been insisted upon. This word "Regi," or rather what remains of it, is just at the edge of the roll. Now I see that it is there, and I cannot say that I can quite excuse myself for not having observed it; but it is so faint, and so little of it remains, that it was unobserved by Mr. Devon's transcriber originally, by Mr. Devon himself, the editor, as well as by me; and I think it is a matter that a little allowance for eye-sight might fairly pass over, and especially as the omission of the word "Regi" affects the sense, if at all, only in the very slightest degree. The same thing is said whether "Regi" is there

there or not; at least so I should understand that a payment into the Exchequer would be a payment to the King if there is no special party designated.

7971. Have you any explanation to give of the "nono" for "decimo"?—I do not recollect how that word is in the roll.—(Mr. *Hardy*.) It is very obscure; but there is no doubt that it is "decimo."—(Mr. *Hunter*.) Here is another error charged. After the word "filiarum," it is alleged that "et hær" for "et hæredum," is omitted. Now, when I looked at the roll the other day, I took Mr. Devon to my assistance, we could neither of us see "et hær." The writing is in such a defaced state, that though it may be supplied by conjecture, and there may be a line or something of that sort which may be taken as a pretext for introducing it, I should say, that it can hardly fairly be said to be there.—(Mr. *Hardy*.) There can be no doubt of its being there; I saw it myself.

7972. (To Mr. *Hardy*.) One copy of this work, which is here, is one which you corrected without seeing the other copy; was that in fact suggested to you or did you observe it yourself?—(Mr. *Hardy*.) It was not suggested to me; but I admit that the passage is very obscure.

7973. It appears then that this was a roll which required very sharp eyes indeed in collating?—Certainly, that portion of it; it is not, however, half so bad as many rolls I have edited.—(Mr. *Hunter*.) Then I think it was not doing justice to the Committee to select that which was in this very obscure and decayed state, and to leave the Committee to infer from the corrections made in this part of it, that the rest of the roll might be equally open to correction.

7974. (To Mr. *Hardy*.) Do you mean to say that it was at all more difficult than many others?—By no means; many of the rolls that I have edited were much more difficult; several passages in the Patent and Close Rolls were so bad that each occupied me many days to determine upon.

7975. (To Mr. *Hunter*.) It appears that the reason that these errors escaped your notice was, your not having originally had to edit the work; and being merely entrusted with the supervision of it, you were not quite sufficiently on the alert as to the inaccuracies that you had to correct?—Certainly; I should have taken the work entirely into my own hands, and proceeded by finger collation. At the same time, the Committee must perceive that I was in a very difficult situation with respect to the editor. The Committee will also understand that this leaf is not to be taken as a specimen of the mode in which the other parts of this roll are edited. There is also this to be noticed: here is a large piece of manuscript which it would be inferred was left out of the printed book by mistake; it is left out, being cancelled by the original scribe, "Quia infræ Rotulum"; that is, the same entry occurs here in the roll, and is accordingly printed; it had been put upon the dorse of the roll, and the scribe struck it out because it was in the body of the roll.

7976. Is it not clear that that could not have entered into the grounds of Mr. Sweet's judgment, because it had not been observed before?—This book, thus corrected, has been lying in this room during nearly the whole time that the Committee has been sitting, and the effect it was calculated to produce, was an impression upon the minds of the Members of the Committee and other persons against the editor.

7977. Everybody must have seen from the first that you could hardly, in fairness, be called the editor?—I think that is very true; but if there was any intention of raising any unfavourable inference, they should have taken some work really mine; they should have taken my Pipe Rolls or my Fines; and if they could have made out such a set of notes in the margin of those works, I should have acknowledged that it was my fault.

7978. It was never brought in order to prove you to be incompetent to be the editor; but to prove the inaccuracy of a particular work published by the commission?—I will not trouble the Committee any further.

Veneris, 8° die Julii, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Mr. Pusey.
Right Hon. Charles Williams Wynn.	Dr. Bowring.

MR. CHARLES BULLER, IN THE CHAIR.

The Right Hon. Sir *Edward Sugden*, called in; and Examined.

Right Hon. Sir *E. Sugden.*

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7979. Right Hon. *C. W. W. Wynn.*] DOES it appear to you that for some of the records better accommodation is necessary than is afforded by the present repositories?—I can give no satisfactory answer to that question, because I do not know what accommodation is afforded by the present repositories.

7980. Would it appear to you that the best corrective of any inconveniences which may exist in this respect would be the erection of one or more buildings, which should be constructed for the purpose of receiving certain portions of the national records?—My answer to the former question will show that I am not competent to answer the present.

7981. Do you think it desirable that there should be erected a general repository for the preservation of the more ancient records?—I am inclined to think it would be; that is, if you take all the present records down to a certain period, I should think one place of access to them all would be highly convenient to the historian, to the lawyer, and to every person having occasion to resort to them for information.

7982. Can you state what period would be the proper one to fix?—I should think you might take the period down to the end of Henry 7. I am speaking without premeditation.

7983. As early as that?—As early as that; because the other documents are, I apprehend, such as are very readily found in their present repositories.

7984. *Chairman.*] Would not the proper limit be one which was suggested to us by one of the witnesses, that the only reason for keeping them in the immediate custody of the particular court to which they belong, is, that certain recent records are in considerable use, and require to be of very ready access for the purposes of the court; but that, beyond that period to which that cause applies, then it is desirable that they should be all together, in order that the searcher, who does not know exactly what record it is that he wants may have an opportunity of having access to them all together?—I have not seen these questions before, and therefore I have not had an opportunity of directing my attention to the particular view which the Committee desire to take evidence upon. I should be inclined to think not, because I am not aware that there is any difficulty in obtaining access to the modern records in the different places where they are now placed; and, if the Record Commission goes on, new indexes will afford facilities in searching for documents such as have not hitherto been enjoyed, except so far as they have been furnished by the commission; I think therefore the removal of these extra documents is not very material.

7985. Dr. *Bowring.*] Would it not be a very convenient line, that the period should be, when in a general way the documents become historical, as contradistinguished from a document which would be likely to be wanted for legal consultation?—The line of distinction that struck me was, to put all those documents which are no longer in common use, into one repository, so that the antiquarian and the historian can look quietly into them. Those which begin with Henry 8, relate to matters of business, and are more in daily use and applied to men's titles and property; I should say that those are sufficiently accessible in the repositories in which they are placed.

7986. *Chairman.*] Would it not be more convenient that they should be altogether. For instance; suppose I wanted to know what dealings at law there were

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were with an estate in the time of Charles 2; I have a vague notion that there were some legal proceedings, but, if it was an action at common law, I do not know in which court it was. If the records of the different courts are kept in different parts of the town I have to go from one office to another, whereas it would be a great convenience if they were altogether?—If I were to be asked upon the question of convenience, of course I should say yes; but I have floating in my mind that a vast expense must be occasioned, a great establishment for that purpose; and then the question is, whether the profit will be sufficient to justify that expenditure. It is a question of profit and loss.

7987. But is there not, on the other hand, the expense of keeping up the present establishments?—I should take it for granted that, generally speaking, the officers who attend to them belong to the court in which they are deposited, and that they are already, most of them, sufficiently provided for. To come to a just conclusion upon this question one should have exact information.

7988. Dr. *Bowring.*] Of course the number of keepers in the present repositories would form a very important element in considering the question of the consolidation of the whole?—Certainly.

7989. You have not visited the present repositories?—No; I have visited a few of them; I have examined the records of the Court of Chancery as much as most practising lawyers.

7990. Right Hon. *C. W. W. Wynn.*] Probably you have had greater intercourse with those who were searching for records for the establishing of titles than most men?—I have seen as much of cases in which documents have been searched for with that view, probably, as any man living.

7991. Have you met with many complaints of the want of access to records, of the difficulty with which searches are made, or of impediments made in the way of obtaining them for ordinary use?—Certainly not: but, as it stands at present, the fees for searches belong to the public; and an impediment would, I rather think, now be found to exist, as regards professional men, which did not exist before. Barristers, for example, have had facilities given to them for searching, and have been assisted by the officers in searching for records of a particular nature, which perhaps might not be so easily obtained now. I will give an instance which occurred to me the other day: I wanted to examine the record of a case in the reign of Charles 2, *Fowler* v. *North*, and I desired my former clerk to search for it, so that when I came to town I might look at it. I wrote to the Chief Justice of the King's Bench, who very obligingly wrote me an answer to say, that, of course, whatever access he could give to me, or anybody for me, was quite at my service. It was with difficulty, I understood, that the record was found; and, as I understood, it was necessary that somebody in the office should search; that the search could not have been profitably made by a person not acquainted with the Record-office. In the result, the charge was 2*l.* for the search; and at last I was so pressed for time in the publication for which I wanted it that I could not go to the office to examine the record. They said that the 2*l.* could not be relinquished, because the profit went to the public. That at once relieved me from any scruple, and I thought it desirable at once to see how the new system worked, so that barristers should not lose any facilities they used to enjoy.

7992. Dr. *Bowring.*] Do you mean that under the old system, barristers used to have greater privileges than they now have in consulting records?—I used as a barrister to have full access to all the records of the Court of Chancery; I used to be allowed to sit in the office and copy as long as I pleased, without paying anything; and I might search as much as I liked without paying, and the officers would assist you; but I believe the rule was that gentlemen under the bar did pay.

7993. *Chairman.*] Then it must have been for the purpose of your books?—Yes, I am speaking of the facilities of obtaining access to the records for purposes of public utility. Mine was for the purpose of a publication, and then one looks upon it as public property.

7994. Dr. *Bowring.*] Then the difference was between a reference to the records for a special purpose and a general power of consultation for a historical purpose?—I cannot say. I rather think you want something of this sort. No doubt a barrister would now be allowed to search, but he cannot always do so with effect;

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effect; and, if the officers assist him, the fees belong to the public, and cannot be relinquished. There should be a power in the officers, which I have no doubt they would willingly exercise, to remit in proper cases the fees which now belong to the public. Because now that the fees are paid to the public, and the officers are paid by the public for the purposes of publication, there ought to be every possible assistance given to individuals. The 2 *l.* I mentioned has not been paid; but I begged to have a written statement who was to have the benefit of it, and I have heard no more of it. I wish distinctly to be understood that I am not preferring a complaint, but I am suggesting what may be an improvement.

7995. *Chairman.*] When you say that you think that the bar should be allowed this access, and that they were allowed access in former times, are the Committee to understand that that access was merely for the purpose of writing books, and that you would not have it understood that in the regular course of professional practice a barrister would ever go and make these extracts for the sake of his clients?—Certainly not; I started with saying that it was for public utility; I apprehend it arises in this way, that for want of such indexes as a layman can put his hand upon, the search must be intrusted to an officer, and then the fee being for the public, the clerk cannot relinquish it; and I only suggest that some person in the office should have the power of relinquishing the fees where the searches are for the benefit of the public. I wish only to put it as a suggestion, that, if the law should be found to require modification, power should be given to the chief of each office to remit the fees upon searches for legal or historical purposes.

7996. Dr. *Bowring.*] You consider that they have not authority to remit the fees under the Act?—Speaking of the Act from recollection I should say that they have not the power, but I am speaking of it without having it before me.

7997. Right Hon. *C. W. W. Wynn.*] You have spoken with respect to the records generally, ancient and modern; your attention is particularly requested to those which are wanted for ordinary use, such as bills, answers, depositions and decrees in equity; and, at common law, declarations, pleas and judgments. Have you ever met with any complaints of difficulty in obtaining access to those?—Not the slightest. In the court to which I belong, if they are the records of the court itself, the court can send for its own records; and it is a common thing to send for the record into court, and that is done by a verbal order.

7998. *Chairman.*] When you want a particular document, in a particular cause, of course there would be that facility; but, with the deficiency of indexes there is at present, is not it sometimes difficult to get the information which you know is in one of those documents, but you cannot say where?—I never met with an instance of any complaint of that sort, and it is hardly likely to happen; because if there has been a litigation there must be a trace of it; and if there is a trace of it there is very little difficulty in finding something or other relating to it. I have searched often, without success, for cases which have been incidentally mentioned to be decided, there being an imperfect note. I have searched for them to find an accurate note of them, generally with success, but sometimes without. I have searched for many years under the proper names, and have not met with them, but that is where I suppose the record, for some reasons, has not existed; but I have no instance in my recollection of any cause where there has been a want of due means of referring to any litigation regarding the estate in question.

7999. In that case the very circumstance which raises the necessity of referring to the record tells you where to go, but the question referred to cases which have been mentioned to the Committee, where it is not precisely known; suppose, for instance, in the Rolls Chapel you wanted to find out something that you knew had taken place, without exactly knowing the names of the parties to the suit, knowing that a suit has taken place, but not exactly knowing the names of the parties?—I cannot conceive that, in that case, anything short of a publication of all the records relating to all the litigations which have existed would answer the purpose.

8000. The party knows the property if there were a proper index?—Suppose a bill is filed relating to a property in a certain family, and there should be a hundred different estates mentioned in it, sometimes with the counties,

counties, and sometimes without, I am afraid that nothing would meet such a difficulty as is now spoken of.

8001. Dr. *Bowring.*] As far as the Chancery Records are concerned, the indexes are perfect?—As far as those records are concerned, to my knowledge, no difficulty arises in procuring access to those which you want; but I am not at all pledging myself to their being perfect. I have often had recourse to them, and found them very useful and competent to the purpose for which they are resorted to.

8002. Right Hon. *C. W. W. Wynn.*] If there had been any confusion in the Chancery, Exchequer, King's Bench and Common Pleas offices, which prevented proper access to the records in them, would not this in the course of your practice have become known to you?—I should think it must. As to some of the courts it must have become known to me, as to others it might or might not; but I think it could hardly have not come to my knowledge in the course of the extensive practice I have been engaged in.

8003. *Chairman.*] There has been a general complaint, by a witness, of the utter want of satisfactory indexes to all the records of the King's Bench and Common Pleas: it appears that the only index is the Docket-book, which is a most meagre index. From your experience, should you say that that is an exaggerated complaint?—No, those are the courts I meant to except. The King's Bench and Common Pleas I know very little about; I have said, as to them, that I thought the complaint could not exist to a great extent without my hearing of it. I examined the Docket-books several times in the King's Bench, for the purpose of making myself master of their operations, but not for a considerable time back; I thought them generally well adapted for the purpose for which they are wanted. If the object in view is to have such a publication as will inform a man at once in what litigation his property has been at any time involved, I should take it for granted that it never did exist, and never can exist; the expense would not be justified by the object; it is a thing upon a scale that no country can realize.

8004. Right Hon. *C. W. W. Wynn.*] Is there any difficulty in searching the indexes?—Not any. The Act of Parliament relating to judgments did not include those of the running term, the consequence of which is that the office has very properly supplied that; and there is a sort of paper book which contains those that are not on the roll; so that the facilities of the office are such as enable you at once to get at the judgments, speaking from my own experience and my own searches.

8005. Looking at the recent Limitation Acts, would you advise the completion of Docket-books from the earliest times?—I should think that an expense of a very doubtful nature. The Limitation Acts must necessarily curtail the use which has hitherto been required of ancient documents; because they limit the time within which an estate can be recovered, and of course the validity of the title, speaking generally, may be represented by the time of the limitation.

8006. Then do not you think that such documents are not likely to be required by the court beyond a certain number of years extent?—Certainly that is my opinion.

8007. Would it not then be convenient if those beyond a certain date could be removed from out of the custody of the court, and sent to a general repository?—That is a point which I have already spoken to, and it is a mere question of drawing the line; I, in fact, would draw the line in that way, but I have not materials enough to say where. As I understand the question, it comes to this, would you have one repository in which you would store up so as to be accessible to the historian, the antiquarian and the legal inquirer; would you have one repository in which all the documents not required for the common purposes of mankind should be found, and I would say yes.

8008. The question is also to be looked at with a view to relieving the courts of justice from the custody of records, for which they are not likely to have occasion. Would not a different rule be desirable with respect to different courts. The question particularly refers to the Exchequer, where tithe-causes are carried on, and where therefore earlier records are in use than in the King's Bench, where, by the Statutes of Limitation, probably records would not be wanted of so early a date?—I should say, that if you do not take some ancient boundary, such as I first suggested, a different portion of time would properly apply to the

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different courts, and that the judges and officers of each court would best be able to point out what the proper boundary was.

8009. It was a recommendation of the Committee of the House of Commons on the state of public records in the year 1800, that such of the Year Books as have not been printed should be committed to the press; and that it might be expedient to prepare for the public an uniform edition of the Year Books from the reign of Edward 1 to that of Henry 8, with a general index. Does it appear to you that there would result from the execution of this measure any considerable advantage to our knowledge of the history and progress of English jurisprudence proportioned to the expense which it necessarily would require?—I should say certainly not. There is no difficulty in obtaining copies of the Year Books, which are in every lawyer's library, as far as they have been published. If I were to say that one lawyer in a hundred has recourse to those that are already published, I should probably speak within limit. The Year Books may be considered now to have been, I will not say entirely superseded; but if you take Coke upon Littleton, for example, that is a sort of boundary, it extracts the marrow of the law as it stood up to the period when Coke wrote. Very few people go beyond that, and if you do—I have myself looked into the Year Books many hundreds of times, and translated some of the important cases—I should say it is more a matter of curious research than of useful investigation, and certainly the benefit would be in no proportion whatever to the loss by the expense.

8010. Another suggestion was, that an uniform edition should be prepared of the ancient law writers, such as Glanville, Britton, Bracton, and Fleta; does it appear to you that such an edition, founded upon a collation of the best manuscripts, would be desirable?—Such a publication would be so honourable to a country like this, in sending forth a perfectly correct edition of the works of those ancient authors in which the law is recorded, that I should think it highly desirable.

8011. Are they not the principal evidence that we have of what the common law of England was at the early period of the history of this country?—No doubt.

8012. Would it appear to you an expedient measure to print for public use the private Acts of Parliament down to a certain period?—I should say not.

8013. Are you conversant with the early private Acts of Parliament?—I necessarily have had probably as much occasion as any man to have recourse to them, because there is scarcely a private Act but relates to some estate or some property; now as I have so often investigated titles, in and out of Court, I must have seen as many private Acts as come under the review of most men.

8014. Do not you find that in the private Acts of Parliament, down to the period of the Restoration, there frequently are provisions almost, if not entirely, of a public nature?—Not to my knowledge at this moment; but that might arise from this, that, supposing it be so, generally speaking I should have only that portion of the private Acts of Parliament before me which relates to the estates, because they come before me not as matter of history, but as evidence of right; but the Committee are aware that, speaking of the early period which has been referred to, and before that, and even later, the private Acts of Parliament were of a character that could not be properly maintained; a thousand things were done by private Acts of Parliament then which would very much shock our notions of right at this day. I do not, therefore, see what benefit is to be obtained from publishing Acts of Parliament of that nature.

8015. Are there not many cases in which it would be of use for the purpose of historical inquiry?—I should think that as far as they would show descent, and so on, perhaps they would; but that appears not quite a sufficient ground for putting the public to the expense of publishing them, and they must generally be well known to the parties whose titles they would prove.

8016. It is scarcely necessary to ask you whether you do not think the authentic editions of the Statutes of England and of Scotland have been highly useful?—No doubt, both highly useful and highly creditable to the country.

8017. As Chancellor of Ireland had you an opportunity of becoming aware of the expediency of publishing any inedited Irish Statutes?—No, I had not; I was there a very short period, as the Committee is aware, and that subject did not come before me.

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8018. The present constitution of the Record Commission is that of having a supreme direction vested in a body of unsalaried commissioners, amongst whom are some of the judges and persons high in political office, and also gentlemen distinguished for their historical knowledge, and whose orders are executed by persons receiving salaries; does it appear to you that this constitution is well adapted to the attainment of the object contemplated in the commission?—If I were to give an opinion upon this subject, with the little information I have, I should rather think not; my general impression is, on such subjects, that no continuing work, no labour that is to go on from month to month, and year to year, can ever be well executed, except by those who are paid for their labour; speaking generally, I hold gratuitous labour very lightly.

8019. *Chairman.*] Would that opinion apply with particular force to those duties of the Record Commission which are not of a very interesting kind, but which require constant superintendence and care, such as the business of seeing the records kept in a proper state, properly arranged, and all the preparation of indexes, calendars and so forth?—You can expect that from nobody but a person who has a salary; but, having answered the question generally, I should say this commission would admit of a different consideration, because, as it goes to illustrate the history of the country, it is surrounded by associations which would very much win the attention of such persons as are put upon the commission. I think this may to a great extent be an exception to what I should consider as the general rule; and when I see the persons who are upon this commission, I feel confident that they would give a degree of attention to this subject which an ordinary subject might fail to win from them.

8020. Do you carry that so far as to suppose that they would attend to all the details of arrangement?—No; I have already answered that question.

8021. You mean merely in considering such questions as the publication of particular works?—I refer to the serious application of their minds to the propriety of publishing any particular work, and to review the manner in which that publication was executed.

8022. Dr. *Bowring.*] Do you think that the higher functionaries of the state can, with the pressure of public business upon them, give sufficient time to the superintendence and management of the publications of such a body as the Record Commission?—I should say, decidedly not; but then I look at the constitution of this Commission, and I find in it not only persons of that description, but persons of another description who have time to give to it; and I have seen enough of public boards, which meet with an intention to do their duty, to know that, if there be amongst them men who can and will give their time, it is very easy to enlighten the understanding of those persons to whom you have referred, who cannot give their time, but have ability, and can give their minds quickly, when their attention is brought to a point, in a way in which it is highly desirable that a subject of this nature should receive attention.

8023. *Chairman.*] Without specifying the names, do you know, with reference to those persons whose names have excited this confidence in you, how far they have in practice attended?—Not in the least; I am speaking of them simply as I would of any other set of public men.

8024. Dr. *Bowring.*] If you should find that the attendances were unfrequent, should not you think that fact of non-attendance a great inconvenience and an objection to the appointment?—I should.

8025. Right Hon. *C. W. W. Wynn.*] Would you think that it would be better to vest the supreme direction in a body of persons receiving salaries?—Certainly not; but my opinion would take rather a different turn, it would be modified. I have already spoken of what I consider the advantages of such a board as this, (advantages which money cannot buy), and if you can obtain them, very well. My opinion is that there is a drawback upon it, because you never can get any set of men to go on in a laborious business, unless they are paid for it, unless it is their duty in the ordinary course of their functions. I should think, therefore, that whilst persons such as those in this commission ought to have the supreme management, there should be other persons with considerable authority who ought to dedicate the whole of their time to the subject, and who ought to be responsible officers for the duties to be performed.

8026. To be employed under the supreme authority of the Commission; sub-commision?—In effect, sub-commissioners; and with the matter so arranged as

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not to invite or enable the supreme commissioners to vacate their functions and throw them upon the sub-commissioners.

8027. Would you be disposed to unite the directive and the executory duties in the same persons?—Generally speaking, I should say not; in short my opinion takes this direction, that there ought to be some person of station and consequence whose whole time would be dedicated to the commission, and who would be paid; and who should have a very strong power as a controlling power in common with the superior authority of the board.

8028. Dr. *Bowring.*] You would have one paid commissioner in a state of equality, and occupying the same elevated station as an unpaid commissioner?—I think that would be very desirable to have an officer of rank and station who would be a commissioner, and have the power of a commissioner, who should be paid for his services, and should be bound to dedicate his whole time to the commission. As he would have but one voice, the supreme authority would still remain in the general body of commissioners.

8029. Right Hon. *C. W. Wynn.*] Are you of opinion that there would be sufficient occupation for the whole time of such commissioner without interfering disadvantageously with the executive functions of those employed by the commission?—I cannot answer that question, because I do not know how much is proposed to be executed, and therefore I can only speak generally; but it appears to me the commission never can be of any value, unless you start with a direction as to the works to be published: there are two things, the selection of the works, and the mode in which the editing of those works is performed; but the foundation must be a due selection. I should be afraid that without some responsible person in the commission itself you might have works published which would not be of sufficient public utility, for the reason I have already given, that you cannot get men continually to give their minds very severely to matters which it is not their absolute duty to attend to.

8030. Dr. *Bowring.*] You do not think the responsibility could be made to bear strongly enough upon unpaid commissioners?—I am afraid not.

8031. *Chairman.*] Do not you think a great number is an objection?—A great number is very objectionable, except that, generally speaking, I find it leads to the selection of a competent body, who really perform the duty, the others giving an eye to see that such body do execute the duties of the office.

8032. Dr. *Bowring.*] Supposing high public functionaries were commissioners in virtue of their office, would not a change of administration and other such circumstances be a great inconvenience?—It necessarily introduces new men into matters with which they have not before been conversant; but I must not be understood to say that I think they ought not to be commissioners. I think they ought; but that there ought to be somebody else in the commission. I think you ought to have somebody in the commission who is paid for the services, and whose sole duty it should be to attend to the matters of the commission.

8033. Right Hon. *C. W. W. Wynn.*] That is, supposing there is sufficient occupation for the whole of his time?—I would give him the actual occupation. I would have such a person to execute the duties to the extent required; supposing it required only three months of his time in a year, let him be paid according to his labour. If the check is good, it is not the less necessary because it occupies only three months of the year.

8034. Dr. *Bowring.*] You would have one responsible commissioner vested with this authority?—That is my opinion. If the Committee will give me leave, I will make an observation upon a publication which I have no doubt there are very good reasons for, the publication of all the Fines. I do not quite see the reason for so extensive a publication as that of all the ancient fines which have been levied. With respect to the ancient records, by publishing them for a certain period, it shows the nature of them, and gives a history of them; but if you have perfect indexes to the others, I do not see the benefit of publishing them, because you never can hope to publish all.

8035. The Fines are intended to come down to Richard and John?—That goes along with my opinion. The publication of the more ancient ones down to a certain time gives you an idea of those times, but it would be useless to go beyond that.

8036. Are there any other of the publications of the Record Commission upon which you would wish to offer any suggestions to the Committee?—No.

I should

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I should say that such as the Taxatio of Pope Nicolas, and the Valor of Henry 8, and the Inquisitions, and documents of that sort, are necessarily published in their entire state; but I think that when you get into grants, patents of any nature, or fines, you ought to stop somewhere, that is, they should be published to an extent to show you the nature of them, and that an historian, for example, may see exactly what was the practice of that period; but I do not think it is advisable or profitable to go on publishing a vast number of them. It is advisable, when you have exhibited the character of them, to give a perfect index, so as to show persons where access may be had to anything of a similar nature; but as it strikes me, with sincere deference, I do not see a corresponding benefit in a long continuation of them, nor am I even aware that it is intended to continue them. The Privy Council Records, which have been published to a considerable extent, appear to me extremely desirable, for they are mixed up with the history of the country. With respect to the Fines, it is not, I suppose, the object of the commission to publish records upon a large scale relating to private transactions. It does not strike me that it is the object of the Record Commission to publish what may be useful to private individuals in their titles, but that it ought to take a more public range; but, speaking generally of the publications of the Record Commission, I should say that they are of a highly respectable character, and cannot fail to be a great benefit to the public.

8037. *Chairman.*] How long have you had the publications of the Record Commission?—Some of them only very lately, but I have had a copy of others of them for many years; and I have had access to them ever since they have been published.

8038. Those that have just come into your possession, were they sent to you by the board?—By the board, within the last 10 days or a fortnight.

8039. How many volumes?—I cannot speak, but I can state generally what they were; there is the Valor Ecclesiasticus, I think there are six volumes, folio, and some Patent Rolls, and the Nonarum Inquisitiones (that is a folio volume also); and there are several octavo volumes; there are five volumes of the Privy Council Records, two I think of some Close Rolls, and one, I think, of Patent Rolls; altogether, I should say, probably 12 octavo volumes, and nine folio volumes.

8040. Did any note accompany those books?—From the Kings' printer; his compliments to me, and he was desired by the board, I think, to send me the copies of the publications.

8041. Did you understand that they were sent to you for any specific purpose?—I took it for granted they were sent to me in consequence of the previous application to me to be examined here. I thought it was probably with a view to assist me in considering the subject; but, if I am asked the question, I considered myself as sufficiently a public character, from the station I have filled, to have such publications given to me, provided they are sent to public functionaries. I was not surprised at receiving them; whether they came properly or not I cannot say, but I was not at all astonished at receiving them. I am in the habit of receiving presents of books to a considerable extent from individuals.

8042. You considered them a present, not a loan?—Decidedly a present; without a question: from the note which accompanied them I considered them a donation, undoubtedly.

Mr. Serjeant *Merewether*, called in; and Examined.

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8043. Right Hon. *C. W. W. Wynn.*] IN the course of the investigations into constitutional history, in which you are known to have been engaged, will you have the goodness to inform the Committee if you have not had frequent occasion to refer to and use the national records?—I have for many years had occasion personally to refer to the records which have been published by the commissioners, but I have had much more frequent occasion to recommend persons who have been engaged in investigations with which I have been connected, to request that they would search accurately for the purpose of getting information from those records.

8044. Has it been by resorting to the original records in the respective offices in which they are deposited, or have you used the various printed copies?—For the purpose of satisfying myself in the first instance as to the place in which the records were to be found, as to their general nature, and as to the state of preser-

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vation in which they were, and also with the view of ascertaining the means of access to them, I have occasionally gone to the several repositories where the original documents are, not for the purpose of actually seeing them, especially where they have been connected with any particular period or any particular fact that, generally speaking, I was desirous of investigating; I have used for the purpose of private investigation, the indexes which have been published by the commissioners, and I have found myself, from them, enabled not only to get information that I wanted myself, but also to suggest to others the clue which they should follow with the view of obtaining information which was required.

8045. *Chairman.*] Which have you used for that purpose?—I have usually used the Doomsday, the Quo Warranto, the Patent Rolls, the Chartæ Antiquæ, and the Hundred Rolls; I do not know whether I can specify them all, but I have at considerable expense put myself in possession of those with the view of using them, and particularly with respect to borough election matters. I have constantly found myself obliged to refer to them to pick up the history of any particular borough at the point where it was likely to be illustrated by the means I have suggested, when it appeared to me at the time to be necessary to illustrate the history of any particular place.

8046. Right Hon. *C. W. W. Wynn.*] Would it have been practicable for you to have used those records as extensively and as advantageously by consulting the originals as you have used them when presented in the form of books?—To me, engaged professionally, it would have been absolutely impracticable to have consulted the originals to any great extent. And I believe I may say it has frequently occurred that I found the impossibility, even with those persons who devote their whole attention to the subject, of consulting the originals within such a period as was practicable and useful to the person wanting information.

8047. You have spoken of investigations respecting ancient boroughs; in suits, respecting ancient franchises, manors, ports, navigable rivers, and respecting parochial or other boundaries, have you found the same advantage in the use of the printed records?—I have found them of the same importance in all those matters, both public and private; and to that list I would add the extent of forests, which forms a most material ingredient in ascertaining the extent and contents of parishes; because the usual divisions of extra-parochial places are chiefly to be ascertained by their having been portions of an ancient forest.

8048. Do you speak simply with reference to the indexes, or also with a view to the fuller publications of the originals by the Record Commission?—I have always found that in proportion as the indexes were extensive they rather assumed the character of extracts than of indexes, and were the more useful; because it is by means of obtaining the precise information which may lie undiscovered and unthought of, and therefore not to be detected in the index, that I have found the greatest advantage in using them; and therefore I should say, the more extensive the publication of the original documents is, the better it is for the purposes to which I have alluded.

8049. Were the very important contents of Doomsday-book tolerably well known before the records were printed?—In investigating the history of boroughs, as far as I have had occasion to consult the extracts which have been made by authors who have written upon that subject, I found the extracts were frequently very imperfect, were misapplied, and frequently misunderstood by them; and therefore I long since arrived at the conclusion that there is no document which had tended so much to remove many errors with respect to the history of our boroughs as the general publication of Doomsday, which, being in the hands of everybody, we can refer to without the necessity of going to the Chapter-house to see that document, and without the necessity of handling that book more than would be convenient or desirable with respect to its preservation.

8050. *Chairman.*] Are you aware that Doomsday-book was not published by the Record Commission?—It was published before the Record Commission, and probably is one of the most perfect publications that ever was made; but still, from the number of abbreviations, there was difficulty in reading it and understanding its contents. It was, in point of fact, used but little till the preface (which is prefixed to it, and which is published by the commission) opened a new light to the minds of the generality of people, and made the document extremely useful.

8051. Right Hon. *C. W. W. Wynn.*] You speak of Sir Henry Ellis's introduction?—Yes; which has since been published, I believe, in a separate form, with some additions to it.

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8052. Do not you think the publication of the indexes is of great service to the advantageous use of that record?—An index to Doomsday-book is absolutely necessary for the purpose of making the reference to the books. I apprehend that no person's industry would be equal to the task of hunting out a particular part, with a view to use the information for any practical purposes, it would take him so long that the opportunity for using the information would pass by before it could be completed. Therefore I imagine that any person who wishes to be acquainted with any place in Doomsday goes to the index of the places, or of the names, and can by that mode alone find out the information of which he is in search.

8053. Does your recollection enable you to state that, previous to the publication of the indexes to Doomsday, there were very general complaints of the almost inutility of the publication of that record?—My individual recollection will not go back so far; but from what I found existing, when I first began those inquiries myself, I am sure that inconvenience must have existed; for it did exist after the publication of the indexes, before they were generally known and used; and I am convinced, from what I have seen with respect to the use of that document, that it is only a few years ago that it became essentially useful to the public by being made accessible to many through the medium of the indexes; I found it constantly a subject of observation, though the indexes had been published, people not knowing that they were in existence, and not referring to them, so that I have seen the effect referred to in the question, though the indexes had been published before my attention was particularly drawn to them.

8054. Do you think that the selection of records for publication by the Record Commission has been on the whole judicious?—All that I have seen I should say would be most beneficial to the public. I do not pretend to have so intimate a knowledge of them as to speak with great confidence upon that subject; but, speaking generally, I should say that there are none that have been published which would not have a great tendency to illustrate both public and private rights.

8055. Would you be disposed to confine the utility of those publications to the point to which you have already referred, that is, constitutional history and suits in law or equity in which ancient rights were in question?—I do by no means think of limiting it to that, because, as far as my own experience has gone, I think it would be extremely bold for anybody to say the extent of utility to which that sort of knowledge might go. There are many subjects about which persons would be ignorant, and upon which they may get information through these channels, and the extent of utility to be derived from them is very difficult to define; but my general impression is that it would be very essential.

8056. Do you think then it is desirable that these publications should be proceeded with?—If I may express my own individual opinion, I can hardly conceive anything in a national point of view more important, or more likely to be beneficial to the public, than the continuation of such publications.

8057. Do you apprehend that it would be possible to continue those publications by any other means than at the expense of the public?—Having for many years entertained a strong opinion that there were many rare documents that ought to be published, and having with that view suggested to booksellers, practically, that they should be published, I have found it the invariable answer that they would not pay the individuals that published them; and my impression is that they cannot be published but at the public charge. Those works of antiquarian research, which are used only by the few, will never become a subject of trade or commerce.

8058. Do you think it would be desirable to transfer the direction of these operations from persons in the situation of the present commission who are unsalaried, to one or two commissioners receiving salaries, or do you think it better that these operations should proceed by the labour of persons receiving salaries, under the control and direction of unsalaried commissioners?—I can hardly presume to give an opinion upon that subject with much confidence, my attention to the question not having been so great as to justify me in presuming to give an opinion upon it; but, if I am asked my opinion, I should say that I conceive the publication of such documents never can be carried on so much to the satisfaction of the public, and in a manner so likely to obtain respect, as they would be under the control and management of high officers of State, and persons who are distinguished either by station or knowledge and science, regulating their publication. I should conceive, therefore, a commission of the kind which has existed before to be best calculated to give that sort of authority to the publication which is one of its essential characters; at the

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the same time I beg to preface my suggestions with the observation, that I do not know what has been the course of publication, but I should have conceived myself that there would be very considerable difficulty in getting individuals (whose attention is necessarily employed, some with their public, and some with their private affairs,) who should be able to give an uniform and undivided attention to it; I should have thought it would be impossible to give to the records that uniformity, that succession, that chronological arrangement, and that successive series of publication which would be most desirable, unless there were some such person responsible, and paid, and constantly employed in superintending the general progress of the commission. I should conceive such a person, practically speaking, to be essentially necessary to such an undertaking.

8059. *Chairman.*] Do you mean a paid secretary to superintend the commission?—It would be very difficult for me to define by name, because any name would carry along with it some assumption; for instance, if the term secretary were used, it might be supposed that I mean a mere secretary; I mean a person really and absolutely present, superintending the progress of the publications, and the general management of the commission at all times.

8060. Would it not be better that that person should be one of the heads of the commission than that he should be in the employ of the commission, but, in fact, exercising its powers?—I should think it would be improper that he should actually be in the employment of the commissioners; I think he should be a person who, from his station and his rank, might fairly conceive himself independently appointed to fill that very important station; and, however high his rank may be, I should think it would require such a sacrifice of time and attention, which ought to be asked, and if it were necessary, demanded from him, that, with reference to all ordinary human arrangements, it cannot be expected that an individual would do that without a most substantial remuneration.

8061. You would have one individual to be salaried, and to have the constant superintendence. Now, do not you think it is better that this should be a member of the commission than that he should be a person whose title would designate him as in a subordinate employment?—I am decidedly of that opinion; I do not think he should be at all in a subordinate employment. I think he should be co-ordinate with the other commissioners, never acting by himself alone, but with the rest of the commissioners, in the manner in which those things are usually managed; but that he should be a person constantly present, constantly superintending, always interfering; whereas the attendance of some of the other commissioners must be only occasional: in short, I think he ought to be considered as the responsible head of the commission; not head perhaps in point of rank and station, but head because he is the person responsible for it.

8062. Do you think one person would do for that?—I should think that one person would be better than two.

8063. Better than three, for instance?—I should think so.

8064. On general principles everybody would agree with you that one would be better than three, but in this case, where you will recollect that the business must be done so as to consult the interests and wants of a great variety of people, for instance, the antiquarians, the county historians, the British historians, the political men, and the lawyers and their clients; do you think one man would have sufficient knowledge and sufficient interest in all those pursuits to superintend the whole business, or that it would be necessary to have persons of some of those different classes?—My general idea would be that one would be sufficient, because I think it would be both his duty and his interest to make himself acquainted, and he would apply to all persons in the different circumstances alluded to to get the information as to what was most desirable with reference to all their different pursuits; and he would, in all probability, be the channel through which communications would be made to the other commissioners as to what was desirable; and he making those communications his judgment would be checked and regulated, in a great degree, by the other commissioners associated with them.

8065. You received one of these presents of books?—I did; I was informed that if I made an application for a set of those books my application would probably be attended to.

8066. Were you informed so privately?—I was informed so by Mr. Cooper. As far as I recollect, the nature of Mr. Cooper's communication was this; your attention has been drawn to these publications, I presume you conceive them to be of very great importance. I said that I possessed many of them by purchase, and I always

I always thought them a very valuable possession; the answer I received was, if you were to make an application for a copy of them I have no doubt they would be given to you. I made such an application. Mr. Serj. *Merewether.*

8067. To whom?—I think that my note of application was directed to the commissioners, and soon afterwards I received an order that such books would be delivered to me; and they have been. 8 July 1836.

8068. How long ago was this?—A considerable length of time, my impression would be that it was five or six weeks ago.

8069. Did you get the same books that Sir Edward Sugden got?—I think I did; the description that Sir Edward Sugden gave of his books correspond with those that I received.

8070. Twelve folios, and 12 octavos?—Yes; a most handsome set of books.

8071. Some of those books have been published a long time?—Some of them have been. I am inclined to think that I had some of them before; and I would say, with respect to them, that finding they did not come to me immediately, I renewed my application, and at last they were sent to me; I esteem them, I must say, a very valuable possession; but with respect to its being a loan, or a present, I should most distinctly say that, much as I value and prize them, the moment I learn there is the slightest question about its being fit that I should retain them as a present I should be most happy to restore them.

8072. There is no question about the propriety of your retaining them; all that the Committee wish to know is, whether, when you received them, you considered them to be a loan or a present?—I certainly conceived it to be a present.

8073. You say you found the first works of the commission of great use?—Decidedly so.

8074. But, notwithstanding the great use you have made of the first works of the commission, it appears you never thought of getting the later works?—That is quite true; and my reason for that is, first, a matter of economy; the next was, that the occasion for using them has become much less frequent than it was, from the change that has taken place, which the Committee are well aware of, because, after the Parliamentary Reform Act passed, many of those inquiries ceased to be so pressing; perhaps not quite so interesting as they were before.

James William Freshfield, jun. Esq., Examined.

8075. Right Hon. *C. W. W. Wynn.*] YOU have been for many years solicitor to the Bank of England?—I have. *J. W. Freshfield,* jun. Esq.

8076. And have had extensive practice in the various courts of law?—I have.

8077. Are you acquainted with the management of the bills, answers, decrees, and other records in the Six Clerks' office in Chancery?—I am.

8078. In the Registrar's office?—I am.

8079. In the Examiner's office?—Yes.

8080. In the Report office?—Yes.

8081. Do not these offices contain the most important of the records belonging to the suitors in the Court of Chancery?—They do.

8082. Do you consider the arrangement convenient, and the access easy?—Generally so.

8083. Have you ever found any difficulty in making searches, and in obtaining copies of any documents in these offices?—Never any practical difficulty; in the more ancient decrees, of course, there is sometimes time occupied; but I have never found any practical difficulty in finding the documents.

8084. And have the fees appeared to you to be moderate?—I think they are.

8085. Is there not standing in the name of the Accountant-general of the Court of Chancery, to the credit of various causes, a large sum of money?—A very large sum of money.

8086. Are you aware to what amount?—I think about 40,000,000*l.*

8087. Do not the records of the above-mentioned offices relate to such stock and cash?—They do.

8088. Do not they relate also to personal property, of various descriptions, in different parts of the world; and also to landed property of very great value?—They do.

8089. Are not such records among the most important in the kingdom, with reference to judicial proceedings?—Decidedly; and with reference to property generally.

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8090. And you do not think that there is any material fault in the arrangement of those records, or any alteration desirable in order to render them more accessible?—The records that are most frequently referred to for that purpose are the orders and decrees of the Court of Chancery, and it does not often become necessary to refer to the bills and answers. I should say also, the reports of the Master's-office are often referred to; and all those are certainly very accessible.

8091. Are you acquainted with the offices analogous to those just mentioned on the Equity side of the Exchequer?—I am.

8092. Have you found any difficulty, in making searches in those offices, in obtaining copies, or have you found any exorbitant fees demanded?—The whole business in the Exchequer is conducted by the clerks in court; I have never experienced any difficulty in obtaining through them the copies which I have required. The business in that court is very confined, and it very rarely happens that I have had occasion to refer to proceedings in that court.

8093. Are you aware of any ground of complaint of the amount of fees?—The fees are very various, both in the Court of Chancery and in the Court of Exchequer; they are various in the different offices, and in the different courts.

8094. Are there any of those fees which you think it would be desirable to have modified or altered?—Treating them as ancient records, I think that the fees are always moderate; but I think the fees taken for copies of proceedings in suits actually in progress are excessive for that purpose.

8095. What are those fees?—In Chancery, the copies of bills and answers, which are very voluminous, are, I think, 10*d.* a folio of 90 words; in the Exchequer, I think, they are 9*d.* If I had occasion to go and search the record of a bill in Chancery, of ancient date, I should not think this exorbitant; but in the ordinary progress of a cause, where a bill is filed and a copy of it is to be handed over immediately to a suitor, there is no occasion for that large amount of charge for the copy.

8096. With respect to the offices of the Courts of King's Bench and Common Pleas, where declarations, pleas, and judgments are kept, do the same observations apply?—They are very rarely referred to now from the present state of the proceedings in those courts; but the fees there are certainly not at all exorbitant, nor is there any difficulty in finding the records.

8097. Then you are of opinion that practically there is sufficiently easy access to all those documents?—Most decidedly; I have had to search for old records in the Court of Chancery, very frequently a period of 50 to a 100 years, to discover property that has been lost sight of; I have never found any difficulty, although in cases in Chancery it is frequently necessary to refer to old records for that purpose. I think for many purposes it is a great disadvantage that the orders and decrees now do not contain recitals of the proceedings in the cause. If you wish to find the proceedings in a charity suit, for instance, you now find in the old orders of the court all the proceedings that are material recited in that order; but according to the present system there is nothing but a short order, which contains no recital whatever, and therefore you would have to make a search, which it would be difficult to make some years hence, to find the bill and answer, and the proceedings in the suit. At present we seldom have occasion to search for the proceedings in an old suit further than the mere decrees.

The Right Hon. Lord *Dunsany*, attending by permission of the House of Lords, Examined.

Right Hon. Lord *Dunsany*.

8098. *Chairman.*] YOUR Lordship has lately had occasion to make searches for information contained in some of the Irish records?—I wished to obtain some information, but I did not proceed. I called at the Record-office, and my object was this; Mr. Bryan was claiming the Slane peerage, to which I had some right, although I did not wish to claim it; but a paper was mentioned by Sir William Beetham, who acted as his agent, though he is also King-at-arms in Ireland, which he said proved that I was not descended from the Slane family, as I claimed. In consequence of this, I wished to see whether such a paper existed, which I had reasons to doubt.

8099. What practical difficulties did you find when at the office?—I went to his office and he was not present, and I inquired of the under-clerk where I could obtain this paper; and finding his two sons were the only clerks, and the papers entirely in his power, I thought it was of no use to make any demand.

8100. Are

8100. Are not those records in a state of some confusion?—I do not know.

8101. At any rate the public has no access to the information contained in them, except through the knowledge communicated by the keeper?—The keeper is the only person.

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8102. From this practice of the clerk of the records acting as agent to the parties who consult him, you found that you were dependent for information entirely upon the person who was the agent for your opponent?—Who was the agent for the person who claimed the title to which I thought I had a better right, which I did not claim; but I wished to know upon what he founded his objection.

8103. Right Hon. *C. W. W. Wynn.*] Did your Lordship apply for leave to inspect the document?—Yes, to inspect the document relative to the claim to which he said I have no right.

8104. To whom did you apply for information?—I went to the office, but did not find Sir William Beetham in the office; and upon inquiry who were the clerks, and finding that they were his two sons, and that they were the only clerks, I thought it in vain to proceed any further.

8105. You did not inquire of them?—No, because they were not there; and I thought also my object would not be attained as Sir William Beetham was the paid agent to the opposing party.

8106. Do you know anything of the manner in which those records are kept?—No, I do not.

8107. Do you happen to know anything of the other Record-offices in Ireland?—No; thinking it very improper that the keeper of those records should be employed as agent in those causes, I gave up making any further inquiries.

Charles Purton Cooper, Esq., called in; and further Examined.

8108. *Chairman.*] DO you wish to make any statement to the Committee?—I request to be permitted to deliver in, as part of my evidence, First, a statement respecting the school of young transcribers; Secondly, a statement of the progress made in transcribing Rymer's Manuscripts at the British Museum; Thirdly, a short statement as to the Fœdera, with the view of showing the expediency of foreign searches; Fourthly, a copy of my letter to Mr. Spring Rice, dated 10th of April 1834, written upon the occasion of the custody of the Augmentation-office Records becoming vacant by Mr. Caley's death. This letter will be found to bear materially upon some statements in Mr. Vincent's evidence, into which it would occupy too much of the time of the Committee were I to go now. Fifthly, the following papers and letters upon the constitution of the present Record Board: the opinions of Lord Brougham and Mr. William Brougham, and the letters of the Archbishop of Canterbury, the Bishop of Llandaff, the Lord Clerk Register, Mr. Justice Bosanquet, Mr. Baron Parke, Mr. Hallam, Mr. Petit, Mr. Bellenden Ker, and Mr. Utterson. It will be seen that all these opinions and letters have special reference to the observations of Mr. Allen. They were written for the express purpose of being laid before the Committee. Sixthly, is a paper intituled, "Charge of that kind of imperfection which is to be remedied by more extended searches in the various offices, against the publications of the board, examined." These documents I now hand in.

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[*The same were delivered in.*]

Mr. *Cooper.*] Seventhly, I request to be permitted to deliver in, as part of my evidence, a statement respecting the charges comprised in the answers to questions 1435, 1480 and 1589. Such statement relates, First, to the board's alleged ignorance of the remuneration of editors; Secondly, the want of any apportionment of expense, and the consequent impossibility of forming a judgment upon any one branch of the duties submitted to the board; Thirdly, the omission of all calculations or estimates of any proposed works; so that no judgment can be formed upon the economy or extravagance of any one book, pamphlet, or anything else published under the orders of the board.

[*The same was delivered in.*]

8109. Mr. *Pusey.*] Have you any explanation to make in reference to an opinion you expressed in a former part of your evidence, in favour of the removal of some records from the Duchy of Cornwall-office to the Augmentation-office?—Yes, I have; I have read the evidence of Mr. Abbot, and I wish to state that I do

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I do not retain the opinion I formerly expressed; I should not have expressed that opinion, unless I had supposed the public would have the same facility of access at the Duchy-office as is now enjoyed at the Augmentation-office; and this would not be the case were every application to see the records referred to the counsel or solicitors of the duchy. The records proposed to be removed ought not to be subject to this regulation, which, for aught I know to the contrary, may be very proper as regards records already in the Duchy-office.

8110. Right Hon. *C. W. W. Wynn.*] Is there any observation you wish to make respecting the Parliamentary grant being received from the Treasury by the Secretary?—Yes; I have frequently expressed my disapprobation of this part of our system. However respectable a public accountant may be, that course of business is, in my opinion, extremely objectionable which affords such an opportunity for embezzlement. Unfortunately the debt which has pressed upon the board has hitherto rendered it impossible to make any improvement in this respect, as indeed the Chancellor of the Exchequer mentions in the Report prepared by him as Chairman of the Committee of December last. Had the board not constantly required pecuniary accommodation, I should long since have thought it my duty to propose that the Parliamentary grant should be paid into the Bank of England, and drawn out by cheques signed by the commissioners.

8111. As you would prefer that the cheques on the banker should be signed by the commissioners instead of yourself, what is the reason that no regulation to that effect has been introduced?—It has been impossible to make any regulation that the cheques should be signed by the commissioners, because, except for a few days after the receipt of the Parliamentary grant, there has been no fund upon which they could draw; it has been, consequently, left to the secretary to find the ways and means of carrying on the operations of the board in the best way he could.

8112. *Chairman.*] As the 10,000 *l.* is paid out by somebody, how is it impossible that that should be paid out by cheques of the commissioners?—The money is paid out immediately.

8113. Paid out by whom?—The cheques for the 10,000 *l.* might have been signed by the commissioners; but that being done, the commissioners would have been discharged of the duty of signing cheques. The whole of the money being due, has been commonly paid away in 24 hours; and after that time the unfortunate secretary has been left to get on as well as he could. The truth is, that the board has contracted no responsibility; it has remained with me to carry on operations by means of my own resources, and the credit I might have with the bankers. But to finish my answer to the Right Honourable C. W. W. Wynn's question: at a meeting of the committee, upon the state of our finances and accounts, I took the liberty of mentioning to Mr. Spring Rice an inconvenience experienced by the secretary from the importunities of persons in the employ of the board calling upon him to make advances on account; applications which he had much difficulty in refusing, from the knowledge which such persons have that his signature to cheques is alone required. This, however, is a minor defect in this part of the existing arrangement; in my judgment, the great defect is the opportunity which it affords to an individual of misapplying the public money, so long as there is any balance to the credit of the board.

8114. Right Hon. *C. W. W. Wynn.*] Were not the King's printers in the habit of making considerable advances to the old board; were such advances stated in the returns to Parliament; and were they subjected to any or what audit?—Yes, the old board in one year (1820) borrowed 6,131 *l.* 0 *s.* 1 *d.* from the King's printers. In all it borrowed 49,752 *l.* 3 *s.* 2 *d.*; and yet, as well as my memory serves me, these advances were never returned to the House of Commons as receipts: they were repaid, with interest, out of the Parliamentary grants. Bad as is the present method (we have hitherto ineffectually endeavoured to replace it by a better,) it would be most unfair not to admit its great superiority to that followed by our predecessors. The 49,752 *l.* 3 *s.* 2 *d.*, was incorporated in the King's printers' bills, and subjected to no audit. For example; in the year I have mentioned (1820), the total amount of the King's printers' bill was 11,352 *l.* 17 *s.* 8 *d.*, including the sum of 6,131 *l.* 0 *s.* 1 *d.* paid to orders of Mr. Caley. There was no examination of the bill except by Mr. Caley, upon whose certificate of its correctness it was paid at the Treasury. This system I determined not to adopt; and the board sanctioned my proposal that, instead of the secretary drawing upon the King's printers, and the monies paid to his order being included in their bills, they should advance a gross sum, which should be paid into a banker's, and

and drawn out by cheques in such a manner that every disbursement should be necessarily submitted to the auditor. This was the only improvement of which the system, so long as the debt continued unliquidated, was susceptible. I ought to mention that a letter from the Lords of the Treasury, dated in July 1834, contains this passage with reference to a sum of 1,000 *l.*, which was credited in my accounts as an advance by the Kings' printer: "My Lords consider that loans of this nature, from tradesmen, are in principle decidedly objectionable; and they desire such accommodations may not occur in future." In consequence of this desire expressed by the Commissioners of the Treasury, the subsequent accommodation has been obtained from the banker's. The report prepared by Mr. Spring Rice, mentioned in other parts of my examination, contains a passage upon this point. After noticing that all payments are directed by cheques signed singly by the secretary, it states; "The grant is paid into a private banker's, from whom advances are made in anticipation of the Parliamentary vote; interest, at 4 *l.* per cent., being charged on such advances. Prior to July 1834, advances were also obtained from the King's printer for the service of the commission; on which advances, interest at 5 *l.* per cent. was charged. This part of the system has been abandoned by desire of the Treasury, signified in an official letter, dated 22d July 1834.

8115. Is there any statement that you wish to make as to the discrepancy of between 200 *l.* and 300 *l.* which it has been stated exists in the article of books, between the accounts of the board and the returns made to Parliament in December 1833?—Yes. From an analysis made by an accountant of the printed return of December 1833, it appears that from March 1831 to March 1832, there was expended for books the sum of 145 *l.* 6 *s.* 6 *d.*; that sum forms part of the item of 363 *l.* 15 *s.* 10 *d.*, the last item, the balancing item. It further appears that, from March 1832 to March 1833, there was expended for books the sum of 497 *l.* 6 *s.*; this sum of 497 *l.* 6 *s.* is taken from the book called the ledger. The payments for books entered in that year in the petty-cash disbursement-book are included in the item of 608 *l.* 13 *s.* 5 *d.*, which is the last or balancing item for that year; Mr. Caley having informed me that it was wholly unnecessary in a return of this description to be at the trouble of going through a multitude of small payments, and extracting and arranging the items under the principal heads. In this instance it is quite clear it would have been a useless labour, as the cost of books bought in the preceding year is not stated. No correct information would, therefore, have been afforded on that point. The reason for making the 497 *l.* 6 *s.* a separate item was the largeness of the amount; I have here the items which make up that sum of 497 *l.* 6 *s.* I have said that the balancing item in the return for the year, March 1832 to March 1833, is the sum of 608 *l.* 13 *s.* 2 *d.*: now, upon the analysis of that balancing item, it was ascertained that there was a surplus sum of 41 *l.* 15 *s.*; and, upon reference to the ledger, it was discovered that on the 17th of October 1832, there was a sum of 41 *l.* 15 *s.*, which had been paid to Dulau for books. It is evident that this sum had been accidentally omitted in extracting from the ledger the various payments for books. Except an error of 3 *d.*, I know of no other discrepancy between the returns and the accounts. The Committee will bear in mind, with reference to the article of books, that the return of the 15th January last, (which was made before Mr. Protheroe's complaint on this head was heard of) states the total expenditure for books, from the issuing of the commission to the 31st December 1835. The amount is 1,576 *l.* 13 *s.* 3 *d.*, and includes the cost of books for the year, March 1831 to March 1832, comprised in the balancing item of 363 *l.* 15 *s.* 10 *d.*; the sum of 497 *l.* 6 *s.* extracted from the ledger for the year March 1832 to March 1833, together with the omitted item of 41 *l.* 15 *s.*, and the several payments for books entered in that year in the petty-cash disbursement-book, and included in the item of 608 *l.* 13 *s.* 5 *d.*

8116. *Chairman.*] In the last return made to Parliament, do not you admit the amount of the error, namely, that you had specified something between 400 *l.* and 500 *l.* for books, whereas you ought to have specified between 700 *l.* and 800 *l.*?—That question is answered by the statement just made by me. In reference to this point I should mention that the Bishop of Llandaff has called upon me and explained that the error into which he and Mr. Protheroe had fallen was, that they had taken the amount of books for one year, instead of for two years. The printed return will show that at once. They have taken the 497 *l.*, which is the amount for one year, and then they have compared it with the amount for two years.

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8117. The Parliamentary Return was for two years?—Yes; and in the first year the books are included in the balancing item, the cost being small. You will find them expressly mentioned among the miscellaneous articles.

8118. When did the Bishop call upon you and make this statement?—The day before Mr. Protheroe gave his explanation; a few days ago.

8119. Then it appears that the Bishop and Mr. Protheroe were under this delusion till a few days ago?—No. Some time ago, when the Bishop attended the Committee, he stated he had found out that there was an error. His Lordship so admitted in my presence.

8120. Then are the Committee to understand your definitive statement about this to be, that the whole of this supposed discrepancy is an entire mistake; that the original returns to Parliament were right, and quite in accordance with your own account, because the sum paid for books for the period of the Parliamentary return was, in fact, only 497 *l.* 6 *s.*?—The sum paid for books, from March 1832 to March 1833, was, with the exceptions already explained, 497 *l.* 6 *s.*

8121. What has that to do with the correctness of the Parliamentary return, which applied to two years?—The printed returns, if referred to, would show in a moment the origin of the mistake. The return is given separately for each year. The Bishop and Mr. Protheroe omitted to look at the marginal notes distinguishing the two years. There is, first, the return from March 1831 to March 1832; and then there is the return from March 1832 to March 1833. They have passed over the former years altogether. Mr. Bellenden Ker, who is a member of a committee which was appointed to ascertain whether the returns agree with the accounts, discovered the error the moment he examined the printed return; I mean the error into which the Bishop and Mr. Protheroe had fallen. I never had investigated the matter myself; I had not thought it worth while to do so.

8122. You did not think it worth while to inquire whether the returns, which you had given to Parliament as secretary to that commission, were accurate or not?—I was satisfied when I came to turn the matter in my mind, although my first impression had been different, that the returns were not inaccurate to the extent stated. In consequence of its having been alleged that the same were not accurate, a committee was, at my request, appointed for the purpose of ascertaining how the fact was.

8123. Then the first effect of that was that in the return to Parliament you begged leave to explain that alleged discrepancy, and admitted that owing to some confusion of different books you had made a mistake?—I must own that when that explanation was given my impression was that there might be some mistake.

8124. Having first given in the returns, then you admitted the error, without sufficient investigation?—Yes, I did so, much too hastily. I thought at that time there might be some error.

8125. In your last return to Parliament you stated what the error was, and what the cause of it was, and now you come and say there was no error?—No; I say there are two errors in the returns, one of 41 *l.* 5 *s.*, the other of 3 *d.*

8126. But you say that this great error, which you acknowledge in the return, had no existence?—Certainly there is no such error.

8127. Then it appears that this discrepancy having been remarked it was investigated by Mr. Protheroe and the Bishop of Llandaff, and they reported it as an error, and that you admitted the same error; and that subsequent investigations have led you to find that there was no such error?—No, I did not admit the error as reported by them; on the contrary, I requested that a committee might be appointed to ascertain whether the Bishop and Mr. Protheroe were right in the conclusion at which they had arrived. I contended they were wrong.

8128. Did not you admit it in the return?—I rather think not to the extent reported by them.

8129. Was not it much larger than the extent to which you have now admitted the error?—Yes, it was. Mr. Protheroe informed me that he had analyzed the account; and it being so long since the returns were made, I had, undoubtedly, in the first instance an impression that Mr. Protheroe was right, and that I was wrong. Mr. Protheroe, it will be recollected, has principally attended to the accounts. It certainly struck me at the moment that I might have committed some blunder, though I could not conceive in what way I had done so. The original return will show how I endeavoured to account for it. Afterwards, when I came to reflect upon the subject, I was convinced that there could be no mistake to the amount asserted.

8130. Right

8130. Right Hon. *C. W. W. Wynn.*] Are there any observations which you wish to make respecting the board having incurred a considerable debt, equal to that of the preceding board, which it took upon itself by the publication of new works?—Yes. Much was expected of the new board, but the Treasury and Parliament gave us no opportunity of effecting anything except by incurring a debt, after the fashion of those who had gone before us. In consequence it was resolved, after much deliberation, to publish certain works by way of specimen, both in regard to the nature of the works and the diminished expense at which the same might be produced. When these works should be put forth, it was always the determination of the board to stay all further proceedings until it should be disencumbered of the debt. It is to this determination of the board that allusion is made in a letter to the Lords of the Treasury, written on the 3d of February last. That letter accompanied the estimate; and, after a notice of the debt of 25,019 *l.* 8 *s.* 2 *d.*, it contains this passage, "Could it have been deemed expedient for the commissioners to confine themselves to the work of sorting, arranging, repairing and binding the records, this sum of 25,019 *l.* 8 *s.* 2 *d.* might have been discharged, and no new debt incurred. But in the judgment of the commissioners (for reasons which it is not requisite here to disclose) it was not thought advisable to adopt that course; and in the years 1832 and 1833 was commenced the series of works now in course of publication, which have given altogether a new character to the labours of the board. In transcribing, compiling and printing these works a fresh debt has been unavoidably incurred, which, although considerably less than the amount of the former debts and liabilities, very much embarrass the proceedings of the commissioners, and more especially as it prevents the introduction of the improved system in the management of their pecuniary affairs, lately suggested by a report drawn up by the Chancellor of the Exchequer, as chairman of a committee on the financial concerns of the board. This debt, it will be seen by the schedule (annexed to the letter), amounts to 16,168 *l.* 8 *s.* 5 *d.*; and the commissioners feel that they cannot too strongly urge the necessity of an application to Parliament for its liquidation, as well as of the debt of 4,654 *l.* 13 *s.* 6 *d.* still due from the old board; as, unless such liquidation takes place, they can no longer pursue the course which they adopted three years ago, on mature consideration, as the one best calculated to satisfy the public and answer the ends for which they were instituted, and must, therefore, suspend the numerous works in the press and limit their exertions to matters attended with the least possible expense."

8131. *Chairman.*] In that letter you have spoken of debts to the amount of 25,000 *l.* of the old board; in the term debts you include liabilities?—In the term debts I include liabilities.

8132. You recollect an examination of some length upon that subject soon after Easter, in which it was endeavoured to distinguish between debts and liabilities?—Yes; and it will be seen that I have coincided in the view of the point then taken by the Chairman. I have since addressed a letter to the Treasury, requesting that the headings of certain parts of the Parliamentary return may be altered.

8133. You say that much was expected of the new commission; do you mean by the public at large?—I mean by the public.

8134. You do not mean that there was any authority in the new commission that they should incur debts, in order to realize those expectations?—No.

8135. Did you not the first two years in a great measure suspend the printing?—For a considerable portion of the first year the printing was suspended; the printing was suspended until it could be ascertained whether it could be done at a more moderate expense. It was at this period that tenders were received from various printers, and it was found that the King's printers were as reasonable in their charges as their competitors; the commissioners proceeded then to finish the works which had been left incomplete by the old board.

8136. Then you have undertaken several new works?—Yes; and I have stated the reason. Whether we have acted right or wrong is another thing; the motive was such as I have mentioned.

8137. Then it is correctly stated in the letter, which was once read to you, that you had paid off a great part of the debt?—We had then paid off the greater part of the debt, so far as the amount was known to us.

8138. And at the same time you had suspended the printing, so that you could not incur much debt for that?—The printing was for a time suspended. It is in

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the new publications, which, as is observed in the passage of the letter to the Treasury just read by me, have given an entire new character to the labours of the board, that the new debt has been incurred. It will be for Parliament to determine whether the commission has acted wisely or not.

8139. Right Hon. *C. W. W. Wynn.*] Have you any minutes of the board relative to the salary of the late Mr. Caley?—Yes, I have; at the board of the 26th March 1831, it was resolved, in consideration of Mr. Caley's long services, that he should be continued in the employ of the commission, as sub-commissioner, arranger and repairer of records, &c., with such remuneration as should afterwards be agreed upon. There were present at that board, the Lord Chancellor, The Speaker, the Master of the Rolls, the Lord Clerk Register, the Bishop of Llandaff, Right Hon. C. W. W. Wynn, Sir James Mackintosh, Lord Dover, Sir Robert Inglis, Mr. Petit, Mr. Bellenden Ker, Mr. Hallam and Mr. William Brougham. At the board of the 9th August 1832, there was read by The Speaker a letter from Mr. Caley, dated the 26th June 1832, and addressed to the secretary, requesting payment of his year's salary as sub-commissioner, on the reparation and binding of the public records; whereupon the minutes of the board of the 26th March 1831, relative to the employment of Mr. Caley, being read, it was stated it was then understood that Mr. Caley's salary should be 500 *l.* a year, and that a notification to that effect had been made to Mr. Caley by one of the commissioners, and the board accordingly directed the secretary to comply with the request contained in Mr. Caley's letter, as soon as there should be funds in hand. At this board of the 9th August 1832, there were present, besides The Speaker, Right. Hon. C. W. W. Wynn, Sir Robert Inglis, Mr. Petit, Mr. Bellenden Ker, Mr. Hallam and Mr. Allen. There are only two other entries upon the minutes of the proceedings of the commissioners, relative to Mr. Caley's salary, they are as follows: "Mr. Caley's nominal superintendence of the work of cleansing, arranging and repairing the records. Cessation of his salary. The consideration of these matters adjourned on the motion of Mr. Protheroe." The date of this extract is the 8th February 1834, "Mr. Caley; his superintendence of the cleansing, arranging and repairing of the records at the Chapter-house and Augmentation-office." The following memorandum of a resolution was drawn up by the Bishop of Llandaff, and agreed to by the board, 22d March 1834: "The case of Mr. Caley's salary having been laid before the board, and it being understood that he had been for some time incapable of performing any services under the commission, it was agreed that the salary of Mr. Caley should be continued to the end of the current year, ending the 31st of the present month, and should then terminate, unless he should be then capable of discharging the duties for which the salary is assigned; and the secretary was directed to communicate this resolution to Mr. Caley's family." The date of this last extract is stated in the body of it.

8140. What was the motive for printing in the Agenda the various written letters from foreign authorities?—Out of the numerous letters addressed to the King, the commissioners or the secretary, by foreign governments, making acknowledgments for the donation in His Majesty's name of the publications of the board, six only are printed in the volume of Agenda; the design of printing those six letters was to prove to those commissioners who might not happen to be present when such letters were read, that these marks of the Royal attention were instrumental in producing and fostering in other nations a kindly disposition towards the people of England. The late Lord Dover was so much struck with this result of the distribution of our works to the public libraries of the Continent and of America, that he thought the continuation of such distribution should be provided for by some special arrangement in the office of Secretary of State for Foreign Affairs. It was his Lordship, I believe, who sent a copy of the letter from the Library Committee of Congress, printed in the Agenda, page 26, to the Times newspaper; the editor of which inserted it, with some forcible remarks on the policy and expediency of these gifts of volumes printed at the national expense. What I have said cannot be better illustrated than by a passage in that very letter; it is this: "The Committee on the Library of Congress have received, in the spirit which dictated it, this liberal manifestation of kind feeling from a people to whom we are connected by many of the strongest bonds of friendship; and, in placing these early records of England in our library for use, they feel pride in the consideration that our own country owes much of her prosperity and freedom to the people and institutions to whom these records more particularly relate."

8141. Was there prior to the present year any correspondence with the Treasury respecting the mode of keeping the accounts?—The only letter upon that subject is one dated in the month of July 1834, and which is mentioned in Mr. Spring Rice's report of January last.

8142. Will you read to the Committee the passage in that letter that relates to the accounts?—The following is the passage. The letter is signed "J. Stewart," and is addressed to the secretary: "I have further to state to you, that in consequence of the sums claimed by you as petty cash disbursements, having included a variety of payments, considerable trouble has been experienced in their classification; and, in order to avoid this confusion in future accounts, the Lords of the Treasury desire that the payments under that head may be confined to expenses for porterages, postages, and small incidental payments."

8143. In the subsequent accounts, have the payments under the head of petty cash disbursements, been confined in the measure pointed out by that Treasury letter?—Yes.

8144. When were the accounts, beginning March 1831 and ending March 1833, audited at the Treasury?—In the winter of 1833, and the spring of 1834.

8145. What was the result at which the Treasury auditors arrived?—I stated it, if I recollect right, in the course of my ninth day's examination; the only error was a sum of 23*l.* 10*s.* 9½*d.*, which had been carried to the wrong side of the account.

8146. When were the accounts, beginning March 1833 and ending March 1835, audited at the Treasury?—In the course of the last winter, and the early part of the last spring.

8147. At what result did the Treasury auditors arrive?—The auditors find that the accountant has duly surcharged himself with the sum of 953*l.* 15*s.* 7*d.*, indebted upon his former account for this service to the 12th March 1833, upon which a report was submitted to the Lords of the Treasury on the 2d July 1834; also the several sums amounting to 18,000*l.*, issued from the Exchequer for this service during the period of the accounts; together with 808*l.* 6*s.*, received for the sale of surplus record publications; and the sums of 4,000*l.* and 200*l.* advanced on loan by the King's printers, and Messrs. Williams & Co., bankers; and with reference to the discharge of part of this account, the Treasury auditors find that satisfactory vouchers were produced for the whole of the payments claimed herein (with the exception of 5*s.* 6*d.* erroneously claimed in the bill of H. Heard, builder, which the auditors proposed to surcharge); also for the several sums claimed as petty cash payments for wages of labourers employed in the several record depositories; for cost of books and stationery, postages, porterages, coach and cab hire, and other incidental expenses, as far as the nature of the services rendered it practicable; and having caused the computations and castings of such of the tradesmen's bills and other documents as had been produced to be examined, the auditors report that the whole has been found accurate, with the exception of the sum of 5*s.* 6*d.* before adverted to. Every tradesman's bill is cast up at the Treasury.

8148. Have you had any communication with the officers of the minor record offices?—I have communicated with the following gentlemen: F. Abbot, esq., of the Petty Bag-office; H. B. Swabey, registrar of the Admiralty Court; Mr. Daniel, of the Common Pleas Record-office; A. Rich, esq., of the Equity Exchequer Record-office; Charles Dyneley, esq., of the Prerogative Court, Doctors' Commons; P. Dealtry, esq., of the Crown-office; Mr. Sprattlin, of the Examiner's-office in Chancery; Thomas Stannard, esq., of the Exchequer Record-office on the Pleas side; J. Sherwood, esq., of the Common Pleas-office; John Davis, esq., of the King's Bench Record-office, and Mr. Clarke, of the same office. I have communicated with all these gentlemen, either personally or by letter; most of them attended the Committee; some in consequence of being summoned, and others voluntarily (but at my request), for the purpose of giving evidence concerning the records and documents in their different offices.

8149. What was your reason for not having them called as witnesses to be examined?—After the examination of, I think, Mr. Serjeant Lawes, the registrar of the Bankruptcy Court, the charges which the commissioners had apprehended it was meant to insist upon with reference to these offices were, as I understood, abandoned.

8150. Had you taken any steps to procure the evidence of printers on the subject of the King's printers charges for the works both of the old and new commissions?

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commissions?—The printing and paper forming a very large item in the accounts of the board, the amount being about one-third of its total expenditure, it was proposed to prove, by the examination of printers and other experienced persons, 1st, that the charges made for printing and paper from 1800 to 1830 were moderate; 2d, that a reduction was made in such charges in 1831, and that the present charges, being those then approved of by the commissioners, are lower than those of printers in general. And, as connected with this subject, it was proposed to show the proportion of correction in the works of the board, and other similar publications, and the extreme difficulty of attaining accuracy in volumes of this kind, which are printed with a type containing numerous contractions, and which abound in names of places and persons, the orthography of which is various and uncertain. Although it cannot be disputed that some of the early works of the former commissions are faulty, yet it would be most unjust to call in question their immeasurable superiority over others of the same kind published at the national expense; for instance, the Rolls of Parliament, which were printed under the auspices of the House of Lords, and were infinitely more long and costly in the execution than any that have appeared under the direction of the commissioners, and the errors in which are said to be so numerous, that a reprint, if carefully collated with the original rolls, would have the appearance of an altogether new and different work.

8151. Have any memorials recently been addressed upon the subject of the publication of ancient Irish manuscripts?—Such a memorial has been presented to the Chancellor of the Exchequer by the Royal Irish Academy.

8152. Are you acquainted with the proceedings of the Royal Society of Northern Antiquaries at Copenhagen?—Yes, I am a member of the society; and in a certain degree informed of its proceedings.

8153. Can you give the Committee any information respecting the Antiquitates Britannicæ et Hibernicæ, editing under the care of that society?—I have a copy of a letter addressed to me by the president, vice-president and secretary of the society on the subject of that work, and also one of the printed prospectuses for the publication of it. I beg leave to deliver in the copy of the letter, and also the printed prospectus. The title of the projected work is, "A Collection of Accounts elucidating the earlier History of Great Britain and Ireland, extracted from Ancient Icelandic and Scandinavian MSS. and other historical sources, with a Latin Translation, Geographical and Archælogical Notes, Fac-similes and Maps."

[*The Witness delivered in the same.*]

8154. Will not that work contain several documents throwing considerable light upon the history of this country?—It will.

8155. Will you specify those which you know?—It contains such documents as these—the Sagas of Edward the Confessor, and of the Archbishops of Canterbury, Dunstan, Thomas and Anselm, and also a part of the early history of Scotland. I beg leave, also, as a matter of curiosity, to call the attention of the Committee to another work projected by the Society of Northern Antiquaries, of which an account is given in the same prospectus, the title is, "A Collection of the Accounts extant of the Ancient Icelandic and other Scandinavian Manuscripts, relative to Voyages of Discovery to North America, made by the Scandinavians in the 10th and following centuries, with Latin and Danish versions, Geographical and Archæological Notes, Fac-similes, Maps and Plates."

8156. *Chairman.*] Is this society composed of private individuals?—It is, I believe, supported partly by Government and partly by subscription. The Danish government is not a very wealthy one. The Committee having determined, as I understand, that as regards the taking of evidence, its labours should be closed to-day, I have three remarks to make: The first is, that I had prepared in a somewhat elaborate manner, answers to all those points brought forward in the examination of Mr. Protheroe, that seem to require refutation or explanation, either on the part of the commission or the secretary. These answers, together with the questions intended to elicit them, which are framed in conformity with the suggestion of my Lord Brougham, fill 30 brief sheets of paper. I had also prepared similar answers in regard to certain matters arising in the evidence of Mr. Vincent, but with respect to the matters appearing in the evidence of Mr. Hewlett, Mr. Illingworth and Mr. Holbrook, I had simply drawn up some observations. As these answers and observations cannot, I presume, now be used, all that I can do is to mention their existence, and to claim the right of availing myself

myself of them in time and place. The next remark is, that with regard to the remainder of the evidence, although I have not read any of the *fasciculi* of it, subsequent to No. 13, yet that I have been informed that the contents concern myself rather than the board, and for that reason, in the urgency of the moment, I have postponed to look into them, conceiving it to be my duty not to neglect the grave matters which may appear to touch the commissioners, from an over eagerness to get rid of imputations that concern myself alone. I shall therefore take another occasion to repel such statements as those I am alluding to; statements, for instance, that I have entreated one person to dedicate a book to me, and that I have pirated the notes of another person. The third remark is that the evidence delivered by me on the 9th, 10th, 11th and 12th days, being to be printed as taken, though given in the most loose and hurried manner, and in the full conviction that I should be permitted the same latitude of correction as I had enjoyed before, such evidence will probably be found to contain inaccuracies which cannot be removed consistently with the rule now estalished. In that case, I request of the Committee leave to address to the Chairman an explanatory letter to be appended to my evidence.

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8157. *Chairman.*] You stated the day before yesterday, that the present commission since its appointment in 1831, have spent 22,000 *l.* less than the previous commission had spent in the five preceding years?—I thought the difference was more than that.

8158. That is a comparison of two periods of five years?—Yes.

8159. Have you made the comparison of any other periods of five years?—I have; and I think the result was still more favourable to the commission than for the period I have taken.

8160. Do you mean to say, taking the average of the first commission from 1800 to 1830, that on the average of 30 years, it received more than this commission has?—No, for the first 10 years, the grants were, if I recollect right, but small; but if you were to take the last 20 years, the average must be a vast deal more.

8161. For instance, the average from 1820 to 1824?—Then the average expenditure, will, I apprehend, be much greater than that of the present commission.

8162. Are you aware that this is contained in returns which have been laid before Parliament?—I do not recollect those returns; but I should doubt whether any returns made to Parliament at that time would show the real expenditure of the commission. The Committee may ascertain the real expenditure, by inspecting the King's printers' bills for England and Scotland, and the warrants signed by the commissioners; I have copies both of the bills and the warrants.

8163. Here is a return to Parliament, dated 1st of July 1825, stating an account of the expenses of the commission: Have you seen that return?—I must have seen it formerly. I took a vast deal of pains formerly to ascertain from the old returns what the real expenditure of the old board was; but I am sorry to say, that I think no reliance can be placed upon any of those returns. That is my conviction from having examined the King's printers' bills and the warrants. I should be unwilling to make that statement, unless I were satisfied that it is correct. I can produce all the King's printers' bills and the warrants, and those will show what the real expenditure was. The returns I never could make head or tail of.

The Rev. *Joseph Hunter*, called in; and further Examined.

8164. Right Hon. *C. W. W. Wynn.*] Do you know anything of Mr. Stevenson having been instructed by Mr. Cooper to make an estimate of the cost of calendaring the records at the Tower?—I do.

Rev. *J. Hunter.*

8165. Will you state what you know upon the subject?—When Mr. Cooper was desirous to lay before the Committee some estimate of the expense of making calendars to the various records, he asked me if I could assist him in preparing such an estimate; he asked me, in consequence of the returns from the different offices, which had been made to the commission about two or three years ago, being in my hands. I told him that I could not assist him in making such estimates in at all a satisfactory manner; that there was little or nothing in the returns to proceed upon, and that I had not that acquaintance with the exact extent of the records in the offices which would put it in my power to present him with an estimate such as could be laid before this Committee. He mentioned the Tower particularly. I stated to Mr. Cooper that I had only a general knowledge of the

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records in the Tower, but that Mr. Stevenson went almost every day to the Tower, and that I thought he would be able to give Mr. Cooper the information he wanted. A few days after Mr. Stevenson called upon me, when we had some conversation on the subject of these estimates, and especially on his calculation of the cost of calendaring the Tower records, which he had made to amount to something more than 300,000 *l.* Mr. Stevenson told me that he called at the request of Mr. Cooper, the purpose of his visit being to learn from me whether I could give any additional information to assist him in the calculation in which he was engaged.

8166. What were the data upon which that calculation was formed?—The data upon which it was formed was a passage in the return, which Mr. Petrie had made. Mr. Petrie, in his return from the Tower, stated, "A new and complete calendar to the Patent Rolls has been begun by the keeper of the records, and it has been carried onwards to the 38th of Henry 3. Upon a moderate computation it would require the uninterrupted labour of one person for at least two years to complete the remainder of that reign." This was the only data that I heard anything of. Upon this data Mr. Cooper had desired me to proceed; but I found it impossible, as I did not know what was the exact extent of the Patent Rolls or any other series of the Chancery Rolls.

8167. Did you represent to Mr. Stevenson that the calculation seemed enormous?—I said it was a very startling sum, and that I could hardly suppose that such a sum as that could be required for the purpose.

8168. *Chairman.*] Did not Mr. Stevenson state to you that he considered the data upon which the calculation was made exceedingly inaccurate?—I have not the least recollection of that being stated. I showed Mr. Stevenson Mr. Petrie's return containing the data. Whether Mr. Petrie made a mistake in making that return I cannot say, but I do not suppose he did; and I do not recollect that Mr. Stevenson stated that Mr. Petrie's return was inaccurate.

8169. Right Hon. *C. W. W. Wynn.*] What answer did Mr. Stevenson make when you represented to him that you thought it a startling sum?—I cannot charge my memory sufficiently with the conversation, which I never expected to hear of again, to say what his answer was; I think it was to a certain extent an admission that it was an extraordinary sum, but I cannot speak with that confidence that I ought to do.

8170. Then the impression that you have of his answer was, that he admitted that it was extravagant; that it was more than would be required?—I think it was.

8171. Have you seen Mr. Hardy's estimate?—I have.

8172. Has he included in that estimate the Chancery proceedings?—He has not in the part which I speak of.

8173. Are not the Chancery proceedings the most considerable and bulky part of the records at the Tower?—I believe they are, but I cannot answer that question with certainty.

8174. They are kept in the White Tower, are they not?—I believe they are.

8175. And the other records principally in the Wakefield Tower?—I believe they are.

8176. Is there any alteration which you wish to make in your answer to question 3350?—There is a passage from a letter, which is marked as a quotation, which agrees perfectly in sense with what I now present, but as it is a quotation it is desirable that the exact words should be used; I therefore request permission of the Committee to withdraw what is there printed, and to substitute what I now present: "What portion of such papers as that which you have furnished to the commission they may deem it proper to print in their report must, of course, be left to the commission itself to determine."

Joseph Stevenson, Esq., called in; and further Examined.

Joseph Stevenson, Esq.

8177. *Chairman.*] YOU have heard Mr. Hunter's statement; have you any observation to make upon it?—In regard to the statement which Mr. Hunter has made as to my calling upon him to see those returns, I beg leave to remark, that I called upon him for the purpose of seeing the returns from the Equity Exchequer, not those from the Tower, nor could such possibly have been the case, since the return relative to the Tower, which I drew up for Mr. Cooper, was given in previous to the date of my calling on Mr. Hunter.

8178. Is

8178. Is it your impression that you gave Mr. Hunter to understand that those data upon which you had been requested by Mr. Cooper to found those calculations were inaccurate?—I do not remember having any conversation regarding the returns from the Tower. If Mr. Petrie's return was referred to, it was only incidentally, it was not the object of my visit to Mr. Hunter. *Joseph Stevenson, Esq.* 8 July 1836.

8179. Have you prepared a return of the historical works printed by the Bannatyne and Maitland clubs?—I have; and I beg leave to give it in evidence.

8180. Mr. *Pusey.*] What proportion of these books are to be purchased by the public?—One-tenth of them.

8181. They are privately printed for the members of the club?—Yes; but copies of many of the most important are for sale; and copies are distributed very freely to those who make application for them.

8182. But only one-tenth of the whole are for sale?—About one-tenth.

Thomas Duffus Hardy, Esq., called in; and further Examined.

8183. *Chairman.*] HAVE you any statement to make respecting your not including the calendars to the Chancery proceedings?—I have fully stated my reasons on my former examinations: I will now only state that we have already a good calendar, sufficient for every possible purpose, being copies of those in the Six Clerks'-office, which have been so highly commended by Mr. Spence and several other witnesses; moreover, that those records are very seldom consulted; I am within compass when I say there are not six searches in twelve months. *Thomas D. Hardy, Esq.*

8184. Have you found the Liber Hiberniæ of considerable use?—I have, of very considerable use, especially in reference to ecclesiastical property. I have been employed by several Irish peers and Irish gentlemen to recover their right of presentation to churches; and I have found the entries contained in Mr. Lasselles' book of the utmost importance. I know the work was highly useful in ascertaining the rights of two peers and the Irish Society, in all of which inquiries I was concerned.

Patrick Fraser Tytler, Esq., called in; and further Examined.

8185. *Chairman.*] IS there anything you wish to add to your evidence?—I wish to add a few words upon the advantages of publishing such catalogues as I alluded to in my evidence. The advantages to be derived from the plan of first printing catalogues rather than the records themselves, are apparent. First, these catalogues would embrace an extensive field of general history; say from William the Conqueror to the Revolution, and their formation and printing is within the limits of a moderate expenditure. To print all the records and muniments within this period would require an enormous sum, so it comes to a choice or balance between having a correct knowledge of the contents of all the records and letters illustrating English history, and having a small corner of our history, perhaps extending to 20 or 30 years, illustrated by the records themselves. No historian familiar with the use of original materials would hesitate I think to choose the catalogues. By them he would be enabled to collect all the scattered lights which might illustrate the general history of England from a large mass of original documents. In the other way he would acquire a minute knowledge of a very curtailed portion; but the lights thrown upon important points of history within this portion would be proportionably scanty. Besides this, it is evident that were the whole or even the greater portion of the records to be printed, it would only be the substitution of an unfathomable sea of *print* for an unfathomable sea of *manuscript*. In the end, to render such a mass available to the historian, catalogues and indexes, with a brief analysis of the documents, would be found necessary. It has already been found necessary to supply them to some of the record publications. Thus, at last, you must have the catalogues raisonnés. Would it not be easier and far less expensive to have them at first? Again, when any serious difficulty or obscure point occurs, a historian, in his anxiety for truth, must inspect the original. Hence he may in many instances dispense with printing the record or letter itself, but without the catalogue he remains ignorant of its existence. The advantages of first making catalogues are also great when viewed in connexion with the plan of afterwards printing a selection of the records themselves. Being once acquainted with the whole mass of records, letters, state papers, &c., in short, all the materials illustrating the civil, ecclesiastical or constitutional history of the country, *P. F. Tytler, Esq.*

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country, this selection will be made under the most favourable circumstances. The most valuable for the purposes of history will be chosen, and there will be the greatest chance of all being printed from originals. Lastly, the benefits resulting from this plan of forming catalogues, will be most important in checking the progress of historical error. Historians, whose labours take in a wide field of general history, will then be able to buy at a cheap rate such tools as will enable them to consult at once those documents which throw light upon the most interesting periods which their researches embrace. For instance, Dr. Southey is at this moment writing the Naval History of Great Britain, of which he has already published two volumes. Now it is no impeachment upon so eminent an author to say, that he is ignorant of some of the most important records that illustrate the naval history of the country. In the State Paper-office there are at present, in an unarranged state, some valuable original letters, illustrating the naval history of the country, which were unknown till lately; in searching for some Scottish papers, they were accidentally turned over. They consist of original letters from Sir Francis Drake, Frobisher, Hawkins, Howard, Raleigh, and others; some of them especially interesting, because they were written during the continuance of the action with the Spanish Armada. It would be impossible indeed to give anything like an accurate account of the action, or rather the series of actions, with the Spanish Armada, without seeing these letters. If such records and letters were made patent to authors by the catalogues I have described, Dr. Southey, in his house in the country, could have them in his library, and from the information they communicated he would be able to correct the false views of former writers; whereas, without such assistance, all history must be in a great measure a repetition of error.

8186. Mr. *Pusey.*] Suppose Dr. Southey to be in possession of these catalogues, would he not be still obliged, in order to make use of them, to take journeys to London and refer to the original documents?—If there were catalogues giving a brief analysis of the contents of the letters and papers they embrace, I apprehend that he might in many instances get sufficient, or at least most important information from the catalogues alone; but even when this was found not enough, still the system recommended would greatly assist his researches, as he would come up to London, and, having glanced over the catalogue, be able in two or three months to accomplish all that he wanted.

8187. In short, if the public have to choose between a publication of a catalogue raisonné of the whole of the records on the one hand, and a publication of some of the records on the other hand, the catalogue must be preferred. But you are also of opinion that, if the national liberality enabled the Record Commission to carry on both of those operations, the publication of the original records in addition to the catalogue raisonné would be of essential service to historians whose residence must necessarily not be confined to London?—I am of that opinion.

8188. *Chairman.*] But considering the small number of historians in England, do you think the utility would be in proportion to the expense; for instance, in order to save Dr. Southey the possibility of a journey, which he would not otherwise undertake, from Westmoreland to London, for the purpose of consulting these records, that we ought to go to the expense of printing several volumes?—Perhaps not; but all historians and students of history would be benefited by such volumes, if carried on in due subordination to the catalogues. It is to a selection I always allude. The idea of printing all the records that may illustrate English history is chimerical.

8189. Mr. *Pusey.*] Are you of opinion that it would be useful to historians, if the Record Commission, besides publishing a catalogue raisonné of those documents, were also empowered to extend the work to the other State Papers?—I think so.

8190. Are you aware that M. Guizot, whilst he was at the head of the French Record Commission, directed the publication of the whole of the diplomatic papers in the Foreign-office at Paris which relate to the war of succession?—I am not aware of that circumstance. I am sorry to say that I have not got M. Guizot's papers regarding the publications now going on in France; but such papers must be of essential service to the historian.

8191. Are you of opinion that it would be useful to historians that the Record Commission should extend its labours to publishing indexes to the documents now contained in the State Paper-office, and, where necessary, publishing the original papers?—I think so; the documents in the State Paper-office from the latter part

part of the reign of Henry 7, when they commence, up to the present day, are the most valuable materials for the history of England which can anywhere be found. The more ancient documents prior to that time are no doubt very valuable; but in proportion as, after Henry 7, the history of the country increases in interest and importance, so do the materials which illustrate it. At present this rich historical mine, from the defects of the system there followed, and the want of printed catalogues, is completely unknown, and totally shut up from the public; and I would consider it one of the most fortunate circumstances for the interests of the history and literature of the country could this great depository be brought within the sphere of the Record Commission.

P. F. Tytler, Esq.

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The Right Hon. Lord *Lyndhurst*, Examined.

Right Hon. Lord *Lyndhurst*.

8192. The Right Hon. *C. W. W. Wynn.*] DOES it appear to your Lordship that for some of the records better accommodation is necessary than is afforded by the present repositories?—It certainly does. I was formerly the Master of the Rolls; I think the Rolls-chapel is a very bad place of deposit. On a dark day you cannot see the records without a candle; you walk and climb through very narrow passages, and it often takes a considerable time to find a record; nothing can be more incommodious than that place of deposit.

8193. Would it appear to you that the best corrective for the inconveniences in these respects would be the erection of one or more buildings, which should be constructed with a primary view to the reception of certain portions of the national records?—I think I should go beyond that; I think if it could be done, it would be better to have all the public records as nearly as possible in one place.

8194. You think it would be desirable to have a general repository?—Certainly.

8195. *Chairman.*] And in one custody?—And in one custody if it be possible.

8196. Do you think that after a certain period, say 50 years, or such period after which constant recurrence is not necessary to the writs and records of the courts, that there is any necessity for the records of each court being kept in the custody of the judges of that court?—Provided they are in a place easily accessible. I think it is very immaterial whether they are in the immediate custody of the judges or not.

8197. Provided they are accessible, you think it would be better that they should be under one custody?—I think so. The modern records are sometimes badly kept. In the upper room of the Treasury I have seen them scattered about very irregularly.

8198. Right hon. *C. W. W. Wynn.*] What period are you speaking of with respect to the King's Bench records?—About 12 or 14 years ago I happened to go once or twice into the Treasury, and I saw them in much confusion. I complained of it at that period.

8199. Have they been since removed?—I do not know.

8200. Has it occurred to you to meet with complaints of the want of access to records, of the difficulty with which searches are made, or of impediments in the way of obtaining them for ordinary use; for instance, such as bills, answers, depositions and decrees in equity and at common law, declarations, pleas and judgments?—I am not aware to what extent the difficulty goes; I know that you pay large sums to get ancient records searched for, examined and copied.

8201. Have complaints been made to you regarding the amount of the fees?—Never, directly in the way of complaint, except statements that the expenses were very heavy.

8202. Did they appear to you to be disproportioned to the task imposed upon those who made the searches?—I do not know whether the expense consists principally of fees paid to the Keepers of the Records, or of the remuneration to those persons who search for the records and make extracts from them; but a great deal of time is often spent in searching for a record, which is occasioned by the difficulty of the search, and the different places in which they are kept; and a great deal of time also is consumed in deciphering them, in consequence of the records having suffered from time, bad custody and damp, and being frequently in many parts nearly illegible.

8203. Does this apply to modern records?—No, I am speaking now of the ancient records.

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8204. Has your Lordship heard any complaint with respect to impediment or difficulty in obtaining for ordinary use the proceedings of the courts in modern times?—No, I have not. I suppose that those of modern times may be obtained very easily. I remember when the records were kept at Westminster-hall, going very often into the depository of the records of the Court of Common Pleas; they were arranged in very good order in that court, and I believe the fee for examination was moderate.

8205. If there had been any confusion in any of the offices, which prevented proper access to documents contained in them, would not this have become known to your Lordship?—I remember in the Treasury of the King's Bench going up into an upper room; they were in a state of considerable confusion. When I was in the habit of frequenting the depository of the records in the Common Pleas, as a serjeant, those were kept in extremely good order.

8206. Were the records in the Court of King's Bench ancient records?—No, they were modern records. It might possibly have been before they were done up regularly, or in the course of it; that I do not know.

8207. Do you happen to know that those are now removed to the Rolls?—I do not; I think I have heard that they were removed, but I did not know to what place.

8208. Have you attended occasionally the meetings of the Record Commission?—I never attended the meetings of the Record Commission. During the six months that I was Master of the Rolls I never had notice to attend any meeting of the Record Commission, nor did I ever attend.

8209. Does the present constitution of the commission appear to you to be one which is well adapted to the attainment of its objects. The question refers to its constitution, vesting the supreme direction in the body of the commissioners, including persons high in office in the law and in the State, and other persons distinguished by historical knowledge, who act without a salary, and whose orders are executed by sub-commissioners receiving salaries?—If you can get persons to do duties without salaries, and to perform them well, it is very desirable.

8210. *Chairman.*] Do not you think there is a danger of the duties not being done?—That depends upon the nature of the duties. In this instance the duties are not laborious; a very slight attendance is sufficient for the purpose of superintending and putting in motion those persons who are to perform the active duties.

8211. One part of the business of the commission is that of seeing that the records are kept in proper preservation, and are properly arranged and proper indexes provided; all that which is a work of detail requires constant inspection, and a general system of superintendence; do you think that unpaid persons would give that superintendence?—I do not think unpaid persons would do the duty; but I think unpaid persons might well superintend business of that kind, and without much labour: for instance, there are six or seven places of deposit of public records, and if there were a person paid, who acted under the commission, the commissioners might from time to time require reports of the state in which the records were; and it would not be a very laborious part of their duty occasionally to go and inspect them generally, so as to be able to put questions to those persons that had the immediate duty to perform, and thus to satisfy themselves that that duty was well and properly performed. I think, without being paid, there are many persons in this country who would take upon themselves to perform such duty, and would perform it satisfactorily.

8212. Right Hon. *C. W. W. Wynn.*] Does not the same appear to you to be the case with respect to the superintendence of the publications of the board, and a selection of the publications?—There must in that case be persons among the commission who are well qualified to make the selection, otherwise it would not do. I conceive that the first instances of selection would not be very difficult, because the mass out of which it would be made is so great, that you could hardly fail to select something curious and valuable; but after the publication has gone on to a certain extent, the selection might become more difficult. You must, of course, have some persons of intelligence, some persons of literary pursuits, and who have particularly directed their attention to this branch of literature, to assist, and to consult with as to what you should publish.

8213. Do not you conceive that that is exactly the duty which can be best discharged by an unsalaried commissioner?—Yes; I think it may as well be discharged by an unsalaried as by a salaried commissioner. It is not a thing that would

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would take much time; it depends rather upon a person's previous knowledge than upon any particular research at the moment. It must always be assumed that some of the commissioners are persons of literary habits and of literary education; I do not mean of merely early literary education, but of continued literary education and habits, who would be the persons to advise the rest of the board.

8214. Would your Lordship be disposed to unite the superintending and the executive duties in the same person?—Those persons whom I have mentioned, and to whom the questions have referred, could not be expected to perform the executive duties; they must have persons under them to do that. They are duties of such a different character, that there is no necessity nor any propriety in having them vested in the same person.

8215. Is it not more advantageous that they should be kept distinct and separate?—I think the executive duties are subordinate duties to be performed by a different class of persons.

8216. *Chairman.*] You would not allow the commissioners to have the power of giving themselves the job of editing a work?—The commissioners ought not, for obvious reasons, to have the power of doing that.

8217. Right Hon. *C. W. W. Wynn.*] If they were themselves the editors, would not the confidence in them be probably very considerably lessened?—Probably so. What I am very desirous of is, that there should be some public building, or suite of buildings, in which a great portion of the public records might be placed and arranged. The Rolls' estate is as good a place as any that could be selected, in point of position. A suite of rooms of moderate size, fire proof, light, and well aired, so as to preserve the records, and render them easily accessible, would be very desirable. What can be more inconvenient than the Tower as a place of deposit? I do not know whether any of this Committee have seen the manner in which the records are arranged in the Rolls-chapel: it is a place in which probably there never was a fire, and it must be very damp in winter.

Lunæ, 11° *die Julii*, 1836.

MEMBERS PRESENT.

Mr. Charles Buller.	Dr. Bowring.
Right Hon. C. W. W. Wynn.	Sir Robert Inglis.
Mr. Pusey.	Mr. Hawes.
Mr. Jervis.	Sir Charles Lemon.

MR. CHARLES BULLER, IN THE CHAIR.

George Trundle, Esq., called in; and Examined.

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8218. *Chairman.*] YOU belong to the Irish Office?—I am Chief Clerk there.

8219. Is the Liber Hiberniæ of daily or ordinary use in the course of the public business of the office?—It is not in daily use; but there are occasions on which we have reference to it, as on matters the information on which we have not in this country; such, for instance, as all appointments that are made by the Lord-Lieutenant.

8220. Do you find the ecclesiastical part of it of much use?—We have not very constant reference to it; inasmuch as the patents of the archbishops, bishops and deans, being all letters under the sign manual, emanate from the Home Office here, and are registered in the Irish Office.

8221. Is the work a complete one?—No, it is not.

8222. Do you think it is necessary to complete it?—It would be a very great object to complete it, particularly as far as regards an index to it.

8223. An index, you think, would be desirable?—Certainly it would.

8224. Do you think, in order to complete it, it would be necessary it should run to any very great length?—I think, to the best of my recollection as to the point where the work was stopped, that about 200 pages would finish the work, independently of the index.

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8225. What would the size of the index be?—I am not at all competent to answer that question.

Patrick Fraser Tytler, Esq., called in; and further Examined.

P. F. Tytler, Esq.

8226. Mr. *Pusey*.] HAVE you any further suggestions to offer to the Committee, from the result of your experience, with regard to the earlier portion of the documents of the State Paper Office, as to the expediency of the future control of them by the Record Commissioners?—I have one observation to make with regard to the documents in the State Paper Office, in addition to the evidence I gave before. The documents of the State Paper Office are of two kinds, the ancient documents and the more modern documents. Any proposal to open up the whole documents in the State Paper Office would, I conceive, be a highly imprudent and impolitic proposal; the more modern papers of course involve so many delicate subjects with regard to the existing Government, that to open them up to all men or to general historians would be impossible; but there is no difficulty, I think, in drawing a line between the more ancient documents in the State Paper Office and the more modern ones. Say that we take, as the ancient documents, those which extend from the latter part of the reign of Henry the 7th (and there are, I believe, none before that period) down to the æra of the union of the kingdoms in 1707; or you might, perhaps, safely go further down than that, say to the commencement of the American War. I should think that the objection which is applicable to the more modern documents could not apply in any way to such documents as these. These ancient papers I would make accessible to the public, and easy to be consulted by catalogues, such as I have before described; while the more modern documents might still be considered in the light of the King's private papers, which is the principle upon which all the documents are now shut up.

8227. Is it your opinion that under the existing regulations sufficient facilities of access are not given?—That is my opinion. I believe there is no difficulty in getting an introduction to the Secretary of State, and by a letter from Lord John Russell, a literary inquirer may get access; but however liberally that has been afforded in my own case, and I dare say in many other cases, yet I think the more ancient documents ought to be placed upon the footing of the documents in the British Museum.

8228. Do you think that there ought also to be catalogues?—Yes, I do.

8229. And those catalogues ought to be published?—Yes.

8230. Do you think that portions of the documents themselves ought to be published also?—Yes, after the catalogues have to a certain degree been carried on.

8231. And supposing there were facilities for both operations, there would be no objection to beginning printing the documents immediately?—I wish the honourable gentleman distinctly to understand that my views by no means go to the stopping of the printing of selections from the documents; but there is always an objection to printing immediately, when there is a selection to be made from a large mass of documents, which you have not examined so as to know their contents.

8232. You think in this particular office there would be a difficulty in doing so?—I think so.

8232*. You think in this particular office a difficulty might arise?—I think so. A judicious selection evidently cannot be made till to a certain degree the mass of documents has been examined.

8233. Dr. *Bowring*.] You would establish an accurate preliminary examination?—Certainly I would. I gave an instance before of Dr. Southey, who is at present engaged in writing a naval history of England, to show the importance of consulting these documents; because it is within my own personal knowledge that there are in the State Paper Office materials for the naval history of England, viz. original letters of the reign of Elizabeth, which are of great value, of which, looking to the volumes of his naval history already published, it is evident that Dr. Southey is ignorant, and for which ignorance, as there are no printed catalogues of the historical stores of the State Paper Office, no blame can attach to that eminent man.

8234. Mr. *Pusey*.] Are you aware that M. Guizot, the French minister of Public Instruction, has directed that commission to publish a statement of the documents from the Foreign Offices, the Office of War and the Navy Office in France

France, which throw any light whatever upon the War of Succession?—I am not aware of the circumstance, except from the question of the honourable gentleman. I have not seen the reports of M. Guizot, and would wish to decline giving any opinion on the measures pursued by the French record commission. It would be presumptuous to hazard any opinion in my limited knowledge of what is going on in France. I am anxious to observe, that my remarks on the State Paper Office are objections to the *System* followed in that great repository, any material alteration in which is, I believe, entirely out of the power of the head-keeper, as far as accessibility and facility of consultation is concerned; the office is, I believe, entirely under the power of His Majesty's Secretary of State for the Home Department. *P. F. Tytler*, Esq. 11 July 1836.

8235. Have you experienced, personally, much loss of time in your researches, from the want of catalogues?—I certainly have; but from every individual officer I have received every possible attention, and every facility that could be afforded.

8236. Dr. *Bowring*.] Are you aware of the difficulty there has been of access, and that foreigners have come here with a desire to consult the papers of the State Paper Office, and that they have not been able to get over that difficulty?—I am not aware of that; and I should suppose it has not occurred very recently; when I first began to consult the papers in the State Paper Office there were certainly considerable difficulties; you were obliged to specify the paper you wanted.

8237. Sir *Robert Inglis*.] Are you aware whether the State Paper Office be an office peculiarly under the control of the Crown, and whether, being such, it can be considered one to which any foreigner can have any claim of access, other than by the mere grace and favour of the Minister of the Crown, or whether it be an office of record to which every subject of the realm may have a claim of access?—I am quite aware of the distinction; the State Paper Office is, I believe, considered as the King's private library at present, and peculiarly, therefore, under the power of the Crown; but I think that any difficulties in the way of a better administration of this great repository, which arise out of its private and sacred character, might be easily obviated by separating the ancient from the more modern documents.

James Fleming, Esq., called in; and Examined.

8238. *Chairman*.] I BELIEVE you have had occasion, for legal purposes, to make searches among the Irish records?—I believe there is scarcely a record department in Ireland which I have not examined; I examined them from almost the earliest period at which they began; it was in consequence of a claim of peerage that involved a great mass of information, and the pedigrees which were to be established were exceedingly long; and I carried them up, from the time of Henry the Second, as far as I could, by means of the Irish records, and I found considerable difficulty. *J. Fleming*, Esq.

8239. How many offices are there?—The first office is a Chancery Office, the Rolls Office; the Patent Rolls, and the Statute Rolls are there.

8240. How many offices are there generally?—There is the Rolls Office, the Exchequer Office, the Birmingham Tower, the Parliament Office, the State Paper Office, the Council Office, the Prerogative Office, the different Consistorial Offices, and the Records of the Commission of Forfeitures, the Office of the Map of the Down Survey, and I dare say there are several other offices.

8241. Are these in different parts of Dublin?—Yes, they are.

8242. In what state of arrangement did you find them?—In the Rolls Office very good; in all the others there was scarcely any arrangement whatever.

8243. Were there indexes or calendars which supplied you with information?—In the Rolls Office there was, but scarcely in any other office.

8244. Are the indexes of the Rolls Office private?—They are. The manner in which I was obliged to take many of those from the Exchequer Office was by taking down every roll, and spelling it from the beginning of it to the end. I suppose I spent three or four months in going through the different documents.

8245. Dr. *Bowring*.] Are there no catalogues whatever?—None whatever; not even a list of the rolls.

8246. *Chairman*.] Were there fees taken?—Yes, upon everything.

8247. Were fees taken at the Rolls Office for looking at private indexes, or

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were they paid for being looked at by the keeper?—The fee for the index is not a separate fee from the rolls. It is several years since I saw them, and I am not very well acquainted with the fees; but I know they were exceedingly high.

8248. Did you find any inconvenience or obstacle from the circumstance mentioned by Lord Dunsany from the keepers acting as agents?—Very great difficulty; but I think the system has since been given up. The records in the Birmingham Tower are supposed to be Royal property; and having appointed a keeper of the records, who generally is a nobleman, knowing nothing about them, he appoints a deputy. The present deputy is Sir William Beetham; he is also Ulster King-at-arms, and being both Ulster King-at-arms and keeper of the records, of course he can manage them in any manner he pleases.

8249. Have you any further communication to make respecting any abuses or evils that are existing?—I do not know that it is a positive abuse, but it is a very great inconvenience in the result, though it is not the fault of the person appointed to the situation.

8250. Have you any further statement to make with reference to the inconveniences which you have previously mentioned?—Upon certain occasions nothing can be greater than the inconvenience. I wanted some bills in Chancery, and there is no species of index to them before the time of Cromwell. I had, myself and with assistance, to go through these bills, which began with the reign of Henry the Eighth; and accordingly I was occupied for months in going through them one by one.

8251. Do you believe that these difficulties are generally encountered by every person who has occasion to make searches there?—I am certain of it; it must necessarily be so. There is nothing to point out where they are; there is no kind of index to any of these records in Ireland; and although the Irish Record Commission prepared for the press a great number of them, the statutes for instance, they made a very perfect transcript of the statutes, and they also made an index to the Patent Rolls of James the First and Elizabeth; and when that commission was stopped, all the books and papers of it were again given up to Sir William Beetham; and he has also all the manuscript indexes, as well as the documents of his own office, the Ulster Office and the documents of the Birmingham Tower. There are 1,263 statutes, and there are only 347 in print, and several of those not in print are public Acts; in fact, a vast number of them are.

Thomas Wright, Esq., called in; and further Examined.

T. Wright, Esq.

8252. Mr. *Pusey*.] CAN you give the Committee a more detailed account than you gave in your last examination, of the mode in which it was proposed by Monsieur Guizot, and the commission appointed under him in 1831——?—It was in 1833.

8253. Proceeding with regard to the objects of the appointment?—It was intended first to search all those offices and all those libraries which were not open to the public, and which had not been well examined, and to collect together everything of importance that had been neglected or unknown.

8254. Do you mean those offices of which you speak were generally provincial?—Generally the offices were provincial. The offices in Paris, I believe, are generally well arranged with regard to the documents, and well known to the people who have the care of them. The plan was first to ascertain and arrange all the important unpublished materials in those offices or libraries; it was intended afterwards to make selections of such materials as were considered of sufficient importance to be printed.

8255. Was it not proposed by Monsieur Guizot, that a catalogue should be constructed of the whole of the manuscripts in the Royal Library of Paris?—I think it was not proposed to make, under the direction of the commission, such a catalogue; I am not aware that a proposition was made for a general catalogue; it was proposed to look carefully through those parts of the manuscripts which contained matter that it was thought expedient to print.

8256. Before the catalogue was formed, has not the commission sanctioned publications of various ancient records?—Certainly, it has; I suppose it has been thought desirable to show something printed at the beginning of their labours; they have commenced by printing certain works which were already publicly known.

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8257. What is the nature of the publications?—The nature of the publications which they have already published, is this: the first is a statement of the proceedings of the States-General, held at Tours in the year 1484, written by one of the deputies who was present; it was already known to exist, and that in many manuscripts, and it had been used and quoted, but it was considered to be a document of great importance in every point of view, and as it had never been printed wholly, nor even long extracts given from it, it was considered a very proper work to commence with. At the same time they were making preparations for other works of equal importance, which required more extended researches before they could be printed.

8258. Can you mention any other works of importance which have been published by the commission?—The only other works which have been actually published are two, both of them series of papers from the public offices; as it happened that those public offices were in much better order than the manuscripts in any of the public libraries, and could therefore be used more readily, they began publishing immediately. I believe in the one case, the collection from the office of the Minister for Foreign Affairs had been in great part previously arranged by its present editor, with the ultimate intention of publishing it.

8259. Will you state the nature of the work?—It is a collection of the letters and papers of the Foreign Ambassador, relating to the negociations, &c. which arose out of the disputed succession to the crown of Spain, during the reign of Louis the Fourteenth.

8260. Is it not in fact a complete collection of all the diplomatic correspondence of the French Court during the War of Succession?—All relating to the War of Succession; they are more immediately taken from that office; but many other documents are inserted from other sources, letters generally.

8261. Is there not also a collection of the despatches from the War-office during the same period?—There is, which contains the despatches and other papers relating to the military operations during the same period. This series will not be so long as the other corresponding collection.

8262. Do you know what Monsieur Guizot's ground was for undertaking the publishing of these documents at the expense of the public?—The grounds which he states himself are, that although many private individuals had already made extensive researches and had made great discoveries, and in some cases had published the whole of the documents, and in others merely abstracts of them, yet still he saw that the exertions which were thus made by private individuals were extremely circumscribed, both from their inability to proceed to any great length in their labours in such extensive collections, which were neither catalogued nor arranged, and also that they were in general unable themselves to cope with the expense of publishing their discoveries.

8263. Does not Monsieur Guizot state, that scarcely a moment passes that persons addicted to historical science in France, did not express their regret that the publication of these valuable documents was left to individuals?—He does; and he alludes also to the formation of a society which had been recently formed for the publication of these documents, under the title of "The Society of History of France;" but at the same time, those very people who had formed the society continued their complaints on the ground that such a society could not do what was necessary to the extent to which it should be done; and also that a great mass of the most important documents were so under the government, that without its authority, and unless ordered by the government itself, they could not be examined or used.

8264. Of whom did the members of this first commission consist?—The first committee of the commission, not the *first* committee, consisted of certain persons noted for their historical works, or their historical researches. I do not think I can repeat all the names; but there were amongst them those of Mignet, those of Guérard and Champollion-Figeac, both keepers of the manuscripts of the Royal Library; and those of Daunou and Naudet, the continuators of the collection of Dom Bouquet.

8265. Has not this commission in contemplation to publish many other historical documents?—Monsieur Guizot's commission?

8266. Yes?—It has not yet published any others.

8267. Has it not in contemplation to publish them?—Certainly; it has a great number in contemplation. Monsieur Guérard, who was one of the committee,

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mittee, is employed at present in making extensive collections from the registers of the Parliament at Paris, from the registers of the Chambre des Comptes, and also from the Trésor des Chartes. I believe at present there are no proceedings carried on in any other of the Ministerial offices, except that for Foreign Affairs, and that for War. The archives of the office of the Minister for Naval offices, a part of which it is contemplated to publish, are not at present in a condition for examination.

8268. Are there not also some very curious memoirs of the Cardinal de Retz, in his own handwriting, which have been lately discovered, and which are to be included in the publications of the commission?—I have not heard of such memoirs; they are making selections from the private papers of the Cardinals Mazarin and De Granville.

8269. Did not the commission subsequently subdivide itself into two committees?—It did, or rather a new committee was formed to work hand-in-hand with the other; it consisted of entirely different persons from those who formed the first. Among its members were Victor Cousin, the philosopher, and Albert le Noir, the architect.

8270. How were the functions of the two committees divided?—Each of the committees had their separate functions, but precisely similar to each other.

8271. How were the objects of the two committees divided?—The first committee was entirely occupied with what formed the first aim of the commission, and published purely historical documents; the second committee was formed for the purpose of considering documents of a different character, those which related to the moral and intellectual history of the people.

8272. What has the second committee published?—It has already published but one book, certain inedited works of Abelard.

8273. What is the title of the work?—It is a collection of pieces; the first and principal is a philosophical work, entitled "Sic et Non," which was, soon after its first publication, condemned in a council as heretical, and which, at the time when it was written, had great influence upon the state of philosophy. It was believed to have been so entirely destroyed by the fire that no copies were supposed to exist, and the present publication I believe contains only fragments, printed from a late manuscript. It has since been discovered that there are two complete copies in England.

8274. Were these works considered to throw considerable light upon the philosophy of that period?—Certainly; they are considered as important, because their author was one of the greatest philosophers of the University of Paris; another work, which is contemplated by the second committee, is a collection of inedited works of Roger Bacon, who was an Englishman by birth, but who was also a very distinguished member of the University, and whose works, at rather a later period, had as much influence, or perhaps more, than those of Abelard.

8275. *Chairman.*] Is not the whole business of these committees, in fact, under the immediate and vigilant superintendence of Monsieur Guizot?—It was so while he was minister, but I am not quite sure how far the present minister personally superintends the proceedings of the committees.

8276. Do you not think that much of the advantage of the work of these committees is derived from the superintendence of so great an historian as Monsieur Guizot himself?—I think probably it was, in some degree; particularly at the commencement.

8277. Mr. *Pusey.*] Are there not other members on the committee whom you would suppose, from their literary reputation, to be capable of carrying into execution the operations which were conceived by Monsieur Guizot?—It is a question which is rather difficult to answer; I should think probably there might be others well qualified for such an office, but Monsieur Guizot I think had more general knowledge, and his ideas were more enlarged than those of most of his contemporaries in France.

8278. Mr. *Hawes.*] Did these commissions originate with Monsieur Guizot?—Entirely.

8279. Did they originate with him before or after he was a member of the government?—After he was a member of the government.

8280. Mr. *Pusey.*] While he was minister of public instruction?—Yes.

Mercurii, 6° die Julii, 1836.

MEMBERS PRESENT.

Sir Robert Inglis.
Mr. Pusey.
Mr. C. W. W. Wynn.
Sir Charles Lemon.
Dr. Bowring.

MR. CHARLES BULLER, IN THE CHAIR.

[*This Evidence was not received for Press until October* 8, 1836.]

The Honourable Mr. Justice *Littledale*, called in; and Examined.

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8281. Sir *R. Inglis.*] Do you think it desirable that there should be erected a general repository for the preservation of the more ancient records?—Of course the records must be kept in some proper and safe custody; but my own notion would be, that they should not be all in one place. My reason for thinking so is, lest by the accident of a fire they should be destroyed all at once. There are now a great many places for the custody of the records, and I do not see why that should be altered. In consequence of the great alterations in Westminster Hall some of the records have been removed to other places.

8282. In the question which was addressed to you, it was presumed that some legal measures would be necessary, and would be adopted, to give to the character of the records so removed the same legal value as if they were exhibited in Court upon the traces of their present history. With that explanation, is it your opinion the legal character and value of the documents being assumed to be the same, whether exhibited from the general repository, or exhibited from the respective depositories now in use, that the custody in a general building would not be more secure than the custody in the particular building, looking at the state of certain of those buildings in different parts of London?—I think that the records ought to be kept in a place perfectly secure, and if the places where they are now kept are not secure enough, some measures ought to be taken to make them more secure. For instance, in the Tower of London, I do not know whether they are in safe custody or not. With reference to Westminster Hall, I suppose that those which are kept there are perfectly secure. There are some at the Rolls Chapel, and by the alterations now making at the Rolls perhaps they may have to be removed. Some of the records of the King's Bench, I know, in consequence of some part of Westminster Hall which has lately been required for some other purpose, have been obliged to be removed from there; and some inconvenience has been complained of by one of the public officers, and he wishes some alteration to be made. The Judges of the King's Bench have been applied to, and they cannot do anything without an application to the Treasury. But, as a general principle, I should say it would be better that the records should be kept in different places, on account of the security.

8283. *Chairman.*] Does not their being scattered in such a quantity of different places render it much more likely that they will be in insecure places. Is it as easy to have 17 or 20 safe buildings as one?—No. Perhaps there is a danger on the other hand, on account of the liability to accident in every one of those places. Now, if you have several places, there is a chance of accidents happening in every one; and therefore, perhaps, in the end it may come to the same thing.

8284. Is not it more likely, from the character of the buildings, each not being of so much importance as the one general one, that an accident would happen in the particular depositories than that an accident would happen in a general one?—I do not know; there is this to be said, that in one single building you have persons whose entire attention is particularly drawn to it. The persons who have the custody of the records now have other things to attend to.

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8285. You might make one single building fire-proof?—Yes.

8286. The present buildings are not fire-proof, nor can they be made so?—Not without pulling them down.

8287. Some of those are parts of other buildings, such as the Augmentation Office. You could not make that fire-proof?—No.

8288. That you have a much greater chance of losing the records in the Augmentation Office by fire?—Yes.

8289. When you use the word "security," are not you thinking only of such great danger of fire, but taking the word "security" to mean protection from every action that damages the integrity or the existence of a record at the present offices; are they not liable to much greater injury from damp, from dirt and from the carelessness of the keepers, than they would be in one general office?—I should doubt that, because the records in the office which I have had occasion to examine seem to me to be regularly kept. I remember we went through lines where they were in different alleys, intersecting one another; and those which we have had brought into Court from time to time have been found very perfect.

8290. Sir *R. Inglis.*] To what date of the records do you refer?—I remember one which I examined a few years ago in the King's Bench, with the date of Queen Elizabeth. I do not refer to any older than that. I am not quite certain whether there was not one in the time of Henry VIII.

8291. *Chairman.*] You spoke of the records in the stone tower in Westminster Hall; do you think in that situation that they are safe, and not liable to perish from damp and other causes?—In the room I was in I think not, but I cannot say. Very likely if a new office was constructed, such care we exercise that every pains would be taken to keep them from damp and dirt and everything else.

8292. Supposing that difficulty to be got over, would not the convenience to suitors and others be immense, of having them all in one place instead of having to run over all the town to the different offices?—Certainly the conveniences would be great of having them all in one place, because people would not have to go to the Tower and to the Rolls and to the Chapter House, to the Archbishop's Palace and to various other places.

8293. For instance, in legal inquiries, are not the inquiries which are made about particular property exceedingly large, and the data you have to go over extremely vague. You want to know, for instance, what dealings at law were had with any estate, having a vague notion that something was done in some court of law, or might have been done, but not knowing the court of law. Now, according to the present plan, you would have to hunt in one part of the Tower for what was done in the Rolls, and in another part for what was done in the Exchequer, and another in the Common Pleas or King's Bench, and in several others for what was done in the old courts, such as the Star Chamber and the Court of Augmentation, which have been abolished. Would not you get over a great difficulty in that respect by having one general Record Office?—I think you would; my great objection is what I mentioned; but on further consideration, perhaps that might be removed. I do not like them all to be kept in one place: it is like having all your eggs in one basket; but it would certainly be more convenient to have them all in one place.

8294. Sir *R. Inglis.*] You are probably aware that one of the recommendations of the Select Committee on Public Records in 1800, a recommendation not yet executed by the Record Commission, is the publication of an accurate and uniform edition of the ancient law books, such as Bracton and Fleta. Do you or do you not think that the publication of such a work, with collations from the most authentic sources, is desirable?—I think it is desirable, perhaps, because in a great nation to have authentic editions of those things is right; but I do not think it would be of much practical use. Most people have those books, and if they have not they can borrow them; and it does not often happen that reference is necessary to be made to them. I do not think it is necessary at all; but if it is conceived desirable in a great country like this to have the ancient law books in good editions, and handsomely printed, it is very well; but for practical utility I cannot say that it is of any importance; because if they are not in every body's hands, they are easily accessible.

8295. *Chairman.*] You do not think that young barristers and attorneys would read Bracton in consequence of its being published in that manner?—No,

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No, I do not think they would read it; and if they want it they can easily borrow it.

8296. Sir *R. Inglis.*] Another recommendation of the same Committee, not yet adopted by the Record Commission, was, that a complete and authentic edition of the Year Books should be published, including in such edition many which are inedited. Do you or do you not think that such an undertaking would be serviceable to promote the knowledge of the ancient jurisprudence of England?—With reference to the Year Books which are now published, I should give the same answer as to the other works, Bracton and Fleta and Glanville, that they are not often resorted to; and most people have one edition or another of the Year Books; or if they have not they can easily borrow them. They are not often resorted to, and more particularly since the late alterations of the law, abolishing so many things, such as real actions and limitation of actions, those old documents are less likely to be referred to. Therefore, for practical utility, I do not see the use of it. One thing to be considered would be, that the Year Books could not be published except at a very considerable expense. I do not think any body would buy them, because you can now get an edition of the Year Books at a comparatively small price; the best edition varies from five to ten guineas, according to the condition of the book; but you could not publish a new edition at anything like ten guineas, without any bookseller's profit.

8297. *Chairman.*] Supposing new additional volumes were published?—That is another matter.

8298. If there was no great practical utility in publishing those volumes, would it not be a hardship on lawyers, who have quite enough to buy already, to have this additional expense?—They would be books to refer to rather than to read; nobody would take them up to read. I do not think they would be of practical utility. Then with regard to the unedited ones, certainly if there is reason to suppose that they would convey any new information, it might be right to publish them; but unless it was ascertained that they did contain anything new, I do not think it would be worth while. But if you were to publish the unedited ones, then the question would arise, whether you had not better publish the whole together; because otherwise it would be a kind of patched work. I think Mr. Manning has in hand an additional volume of the Year Books, and if it is confined to a single volume, very well; but if you have half-a-dozen new volumes you might as well have the whole of them.

8299. Sir *R. Inglis.*] Are you personally acquainted with the editions of the Statutes printed under the authority of the Record Commission?—Yes, I know that edition very well; that, I think, is worthy publication, because the Statutes of the realm are great things; not like Reports, which are of little comparative value.

8300. *Chairman.*] Were there not many repealed Statutes, and altered Statutes, of which it was extremely difficult to get a copy?—Yes, but I would make a remark upon that publication of the Statutes, that they are printed upon enormously large paper, and extremely inconvenient for anybody to have in their library. It is an immense folio; it is a great deal too large and cumbrous.

8301. Sir *R. Inglis.*] Do you consider that the publication of an authentic edition of the Statutes of England was a legitimate object of public expenditure?—I do, certainly.

8302. Do you think that a knowledge of the Anglo-Saxon laws, and of the ancient Welch laws, is needful for the perfect understanding of the history of the ancient law of England?—I think that is rather a matter of antiquarian curiosity and historical research than of any practical utility.

8303. *Chairman.*] You do not think that the Welch laws would be quoted at the *Nisi Prius* sitting?—No, nor the Anglo-Saxon laws.

8304. Have you paid such attention to those publications which have issued under the authority of the Record Commission relating to the value of ecclesiastical property, as to enable you to state to the Committee your opinion as to the merit of the selection and execution of those works respectively?—No, I cannot say that I have; I believe many of them are of considerable use in investigating the rights of parties to ecclesiastical property; but I have not paid sufficient attention to them to say whether they are generally useful.

8305. Are you acquainted with the usefulness of the work called "Valor

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Ecclesiasticus of King Henry VIII.," as printed under the authority of the Record Commission in the investigation of tithe causes?—I do not know that particular edition, but I know it is a very useful book.

8306. *Chairman.*] You mean that that record is referred to?—Yes, and therefore I should say that is a work very proper to have printed. I think the Parliamentary Survey would be a very desirable work to have printed, which is considered of more authority than the Valor Ecclesiasticus.

8307. Sir *R. Inglis.*] Do you refer to the Parliamentary Survey in the library of the Archbishop of Canterbury at Lambeth?—Yes. On recollection, I am not certain that it is kept in the library of the Archbishop of Canterbury at Lambeth.

8308. *Chairman.*] Is that very frequently used?—Yes, and it is considered of great authority.

8309. Sir *R. Inglis.*] Are you acquainted with those publications that have issued under the authority of the Record Commission, and which are called Calendars?—No, I have only a general knowledge of them. I have not sufficiently attended to them.

8310. Are you sufficiently acquainted with the constitution of the Board of the Record Commission to be able to give an opinion to this Committee as to the propriety of continuing it under its present system, or of substituting for it a Board of salaried Commissioners?—I have seen the names of those who constitute the Record Commission, and I hear occasionally of their going there. I do not know particularly what they direct when they are there, but I should say a Board of that kind would be better than a Board of salaried Commissioners. A Board of salaried Commissioners must necessarily be confined to a few. I think it is desirable to have a number of persons upon a Board of that kind.

8311. Do you think that a complete publication from the best manuscripts, and from a collation with manuscripts of those which have been printed of the chronicles and ancient histories of England would be desirable?—I certainly think it would.

8312. Are you aware that such a publication was undertaken by the King's authority, in pursuance of an address from the House of Commons?—I have heard of such things, but I do not think anything has been published upon it yet. I should not say that it would be worth while to publish the more modern ones of Hollinshed and Grafton, but the more ancient ones—the Latin ones.

8313. Have you paid such attention to the subject as to enable you to give to this Committee an opinion of the preference due rather to the plan of Dom Bouquet, or to the plan of Muratori?—No, I have not sufficiently considered that; but I must own that I thought it would be better to publish the historians themselves, and not to publish them in periods. I believe one objection made to the publication of the historians was, that there was a great deal of repetition, and that you might have the same things over again: and so you might. It occurs to me, that if that was done by means of proper indexes and references, you might have all the advantage of the periods, because you might have a schedule or index to denote the periods in each author, so that you might get the advantage of the period from the year 900 to 1000 and 1100 by references, without difficulty.

APPENDIX.

APPENDIX.

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APPENDIX.

Appendix (A.)

— No. 1. —

QUESTIONS SUBMITTED BY ORDER OF COMMITTEE.

QUESTIONS submitted to Dr. *Lingard* and Dr. *Southey*, by order of the Committee of the House of Commons on the PUBLIC RECORDS.

1. DOES it appear to you that the national archives contain a fund of historical information relating to the institutions and public transactions of the realm, and applicable in various ways to almost every department of historical research?

2. Is not this information at present shut up from you, and from others who may desire to use it; and does it appear to you that it can be fully opened by any other means so well as by printing the documents that contain it, either at large or in the form of abstracts, according to the peculiar nature of each?

3. Do the publications of many of these documents, which have appeared under the sanction of the Commissioners on the Public Records, contain much valuable information, to which scholars had no access before, and afford a reasonable hope that fresh information, equally valuable, may be obtained from the same depositories?

4. Would it appear to you that the advantages of the publication of so much new historical matter are so great that it is desirable to devote to it a portion of the national funds, it being understood that there is no probability of the publication of it being undertaken by the enterprize of private persons?

5. What are the obstacles which at present render the contents of our record offices less available than might be desired? Are not the dispersion and inconvenient structure of the offices, the want of arrangement, the want of sufficient and accurate public indexes, or catalogues, in all, and the fees in some, the principal impediments to inquirers?

6. Have not the catalogues printed and published by the Record Commission, especially those to the manuscripts in the British Museum, been of essential service to you, and, as far as you can judge, to other historical inquirers?

7. Are not similar catalogues or indexes to the contents of our record offices much wanted?

8. Does it not appear to you, with regard to the historical information contained in the unpublished records, particularly that which throws light on ancient manners, arts and social institutions, scattered over so large a space, and interspersed by so much uninteresting and utterly useless matter, that to print and publish the whole would be undesirable, but that at the same time it would be most desirable, by less expensive means, to render that information accessible to those who might require it?

9. At the time at which your historical works were first composed and published how long had the Record Commission been in existence?

10. Did you make any use of any of its works except the catalogues?

11. Will you point to any references in your published works to those of the Record Commission, specifying those quoted by you?

12. On what important historical event, or on which of our institutions, or on what portion of our manners, have you derived any valuable information from the works of the Record Commission, which could not have been as readily derived from works previously in existence?

13. What important historical doubt has been cleared up by these publications?

14. Is the cost of the works of the Record Commission such as to place them within the reach of historical inquirers?

15. Which of them had you in your own possession before a package of them was sent to you by the Commission within the last month?

16. Without impugning the propriety of printing some records, would not a great deal of the more curious and interesting information contained in some of those still unpublished have been in all probability by this time laid open to the public, in works similar to those of Sir Henry Ellis, and Van Raumer's Letters on the History of the 16th and 17th Centuries, had the contents of the record offices been rendered properly accessible and available?

17. Would not such selections as these be calculated rather to amuse the general reader than to relieve the historian from his laborious research among manuscript records?

18. But, without relieving the historian from any necessary labours, would not such publications be useful in stimulating the public curiosity, and directing it to the valuable information contained in sources hitherto little appreciated?

19. Are there any suggestions which have occurred to you respecting the course of proceeding or future operations of the Board?

— No. 2. —

Dr. *Lingard's* Answers.

Appendix (A.)

No. 2.
Answers to Queries by Dr. Lingard.

To the Chairman of the Committee on the Record Commission.

Sir,—I hasten to return to you the following answers to the questions which you did me the honour to address to me on behalf of the Committee of the House of Commons on Public Records. I am, &c.,

Hornby, 10 July 1836. (signed) *John Lingard.*

1. In my opinion, there can be no doubt that the national archives contain a vast fund of information, applicable in various ways to almost every department of historical inquiry.

2. This fund is at present, in a great measure, closed against historical inquirers; nor can I imagine any means by which it may be opened to them so fully and satisfactorily as by the publication of the documents themselves, either at large or in the form of abstracts as their nature may suggest.

3. As the documents already published by the Record Commission contain much valuable information to which literary men had previously no access, it seems fair to infer that from the publication of the documents which are still unedited information equally valuable may be derived.

4. It is not, in my judgment, to be expected that any individual or company of individuals will ever undertake such publications on his or their risk. If the documents are to be printed at all, it must be at the public cost. Hence it appears to me desirable that some portion of the public monies should be devoted to that purpose.

5. Impediments are at present placed in the way of research, by the dispersion of the public offices, by their inconvenient structure, by want of arrangement, by the absence of copious indexes, and in some instances, perhaps, by the exaction of fees. I must, however, be allowed to say, that from the officers themselves I have always met with great civility and attention.

6. 7. The usefulness of the catalogues published by the Record Commission shows, in my opinion, that similar catalogues ought to be composed for all the record offices.

8. It cannot be doubted that among the documents calculated to throw light on the arts, the manners, and the social institutions of our ancestors, will be found a great mass of uninteresting and useless matter. To publish all such documents without discrimination would, therefore, be a waste of public money. I cannot, however, think that any plan for rendering such information more accessible, if it exclude the publication of the more interesting documents, would satisfy the wants of literary men. Besides facility of access, the historical inquirer demands time and opportunity to compare documents with one another, and with other authorities, to examine them attentively, and to draw his inferences from them at leisure. Now this he may do in his own library, with the aid of the Record publications; but he cannot do it whilst he is inspecting a document in a particular office.

9. The Record Commission was, I believe, established in 1800. The manuscript of my work was put into the hands of the publisher in 1818. The more early parts of it, to which the Record publications were applicable, were composed some years before.

10. I am not aware that the Commissioners had at that time published any other works likely to be serviceable to me, with the exception of the 1st and 2d vol. of the Statutes, and the additions to Domesday. Three of these were published in 1816: none of them were within my reach.

11. Of course I could not quote them, nor refer to them. It will be found, however, in the forthcoming edition of my work, that I have made great use, not only of these, but of several other publications by the Record Commissioners.

12. I have derived much valuable information; 1st. respecting the condition, the rents and services of villeins, from the Bolden Book; 2d. respecting the inhabitants, and internal polity of cities and boroughs, from the Winton Domesday; 3d. respecting the nature of the grievances which called forth the resistance of the barons under John, from the Close and Patent Rolls, in the reign of that monarch; 4th. respecting Magna Charta, and its repeated publication, from the 1st vol. of the Statutes of the Realm; 5th, respecting the domestic habits and expenses of our kings, from the Mise Rolls of John and Edward 2.

13. 1st. It appears to me that several doubts respecting the ancient rights of the baronage and the constitution of Parliament have been cleared up by the publication of the Parliamentary Writs. 2d. Much light has been thrown on the formation, the duties, the rights of the Privy Council, by the "Acts of the Privy Council." 3. The doubt which existed respecting the renunciation of all right of superiority over the Scottish Crown by Edward 3, in 1328, has been done away by the documents inserted in the New Rymer. 4. Innumerable errors in the ancient annalists may be corrected by reference to the original instruments.

14. The first price of these publications placed them out of the reach of most historica inquirers: even at the reduced price it must be a hardship to many to have to purchase them for the sake of occasional reference.

15. I made application for some of these publications about the end of April, before I had heard of the investigation which was then going on. In consequence, the last package of books was sent to me. I was previously in possession of the Statutes of the Realm, of Domesday, of the New Rymer, of the Rotuli Scotiæ, of the Abbreviatio Placitorum, and of two volumes of the Acts of the Council. These I had received from the Commissioners: the Parliamentary Writs I had purchased.

16. I cannot

Appendix (A.)

No. 2.
Answers to Queries by Dr. Lingard.

16. I cannot persuade myself that works similar to those of Sir Henry Ellis and Van Raumer, supposing such to be published, would satisfactorily supply the place of the Record publications. The compiler of such collections caters, not for the information of the historian, but for the curiosity of the public. With him a principal object is to secure remuneration for himself and his publisher. He has little inducement to seek after documents, which cannot be found without laborious or expensive research, and confines his inquiries to those only that are likely to interest and gratify a large portion of readers.

17. Hence, works of this description would afford only partial relief to the historian: he would still have to search on many points for original documents. Such works would undoubtedly be useful as far as they may go; but he cannot expect to be relieved from the labour of personal research by any publications but such as those of the Record Commission. The inconvenience of personal research I have already noticed in answer 8.

18. Such publications as those of Sir Henry Ellis and Van Raumer may certainly have the effect of directing the attention of the public mind towards the valuable documents contained in the record offices.

19. Perhaps a saving might be effected in the future publication of records, if all such documents as appear not likely to prove useful were rejected at once, and the others were to be divided into two classes; 1st, of the more important, to be published at length; 2d, and of the less important, to be published in the way of abstracts.

John Lingard.

— No. 3. —

Dr. *Southey's* Answers.

Sir, Keswick, 14th July 1836.

No. 3.
Answers to Queries by Dr. Southey.

IN return to your letter of the 6th inst., propounding certain questions on the part of the Committee of the House of Commons on Public Records, I beg leave, after acknowledging the honour which such a reference confers upon me, to state with respect to those questions *seriatim* as follows:

1. It appears to me that the national archives must, from their very nature, contain a fund of historical information relating to the institutions and public transactions of the realm; and that such information must necesarily be applicable to almost every department of historical research.

2. This information I certainly consider to be shut up from those who might desire to profit by it, so long as it is confined to those archives. Nor can any means for rendering it available be so obvious, or so certain, as that of printing the documents which contain it, either at large or in the form of abstracts, according to their subject.

3. There can be no doubt that the publications which have appeared under the sanction of the Commissioners contain much information which was not accessible before, and consequently it may be expected that much more might be obtained from the same depositories.

4. The advantages of such publications appear to me so great, as to render it desirable that a portion of the national funds should be allotted for them, there being no probability that they would ever be undertaken by private persons.

5. I beg leave to reply that, owing to my residence in a remote part of the kingdom, my habits of life, my ignorance of official forms and rules, and my non-intercourse with official persons (except as private friends, in a very few instances), I am unable to answer this question.

6. The catalogues of the MSS. in the British Museum have been essentially useful to me, and must be so, I conclude, to those who are engaged in any literary or historical researches.

7. Similar catalogues, or indices to the contents of our record offices, could not, I presume, but be eminently useful.

8. To print and publish the whole of those records which throw light on our history in all its ramifications, would require an outlay too great to be hoped for, unless it were continued through a long series of years.

9, 10, 11, 12. I know not how to answer these questions more clearly than by stating that the two large historical books which I have published (Histories of Brazil and of the Peninsular War) relate to subjects on which the publications of the Record Commission could supply no information whatever; that in my Naval History and Biography I have derived much assistance from some of those publications (especially from the Fœdera and the State Papers); and that I have made, and am making, great use of them in preparing materials for works which are at this time in progress.

13. This question I am unable to answer.

14. Whether the publications of the Record Commission are of prices which brings them within the reach of historical inquirers depends on the relative circumstances of such inquirers. If the cathedral libraries were supplied each with a set, they would be within reach of persons who are likely to make use of them, and are not likely to be able to afford the purchase.

15. The publications of the Record Commission which I possess at present (July 14th) are as follows:—The Statutes of the Realm; Acts of the Parliaments of Scotland, first volume wanting; Rymer's Fœdera, as far as Vol. 3, Part I.; Catalogue of the Harleian MSS.; Catalogue of the Cottonian MSS.; Catalogue of the Lansdown MSS.; Domesday Additamenta; Domesday Indices; Placitorum Abbreviatio, Ric. 1, Edw. 2; Placita de Quo Warranto, Edw. 1-3; Parliamentary Writs, vol. 1; State Papers, vol. 1.

Appendix (A.)
No. 3.
Answers to Queries by Dr. Southey.

16. More use undoubtedly might have been made of the records if they had been more easily accessible.

17. Such selections as those of Sir Henry Ellis are highly serviceable as far as they go; but they serve rather to show than to supersede the necessity of farther research.

18. Whether they tend to excite such research is a question which I cannot answer.

19. Neither can I presume to offer any suggestions respecting the future operations of the Board.

To the Chairman of the Committee on the Record Commission.

I have, &c.
Robert Southey.

Appendix (B.)

— No. 1. —

STATEMENTS DELIVERED IN BY C. P. COOPER, ESQ.

Appendix (B.)
No. 1.
Distribution of Works published by the Commission.

STATEMENT respecting the DISTRIBUTION of the WORKS published by the RECORD COMMISSION.

FROM the year 1800, when the first Commission issued, to 1810, the number of copies printed of every work was 1,500. A copy of each work was presented to each Member of either House of Parliament, and to various libraries and deposits of records in different parts of the United Kingdom, also to the Commissioners, the Secretary and the Sub-commissioners.

In August 1810, the Parliamentary distribution was discontinued, in consequence of an order from the Treasury. In that order it was further directed, that of all works published by the Commission, after reserving 200 for public distribution, the surplus copies should be sold in reduction of the expenses of the Commission. At that period it was determined that the number of copies printed should not exceed 1,000. Of the statutes, it may be observed, only 500 copies were printed; and this was the number of copies also of the new edition of the Fœdera, when the publication of that work was, at a subsequent period, determined on.

The 200 copies reserved for public distribution under the Treasury order were, in 1822, appropriated thus:

His Majesty's Library		
State Paper-office		
Parliament-office, House of Lords		4
Paper-office, House of Commons		
Chapter House, Westminster		
Record-office, Tower		
Rolls Chapel		
British Museum		
Library of the Inner Temple		
Middle Temple		
Lincoln's Inn		
Gray's Inn		
Library of Doctors' Commons		
Sion College		
Royal Society		
Society of Antiquaries		23
Royal Institution		
Duchy of Lancaster		
Duchy of Cornwall		
College of Arms		
King's Remembrancer's-office		
Lord Treasurer's Remembrancer's-office		
Commissioners of Crown Lands, Woods and Forests		
Auditors of the Land Revenue		
First Fruits'-office		
Augmentation-office		
Town Clerk's-office, City of London		
Episcopal Libraries	5	
Cathedral Libraries	26	
Libraries of Collegiate Churches	3	
Library of Winchester College	1	37
Eton College	1	
Cheetham College, Manchester	1	
Libraries in the University of Oxford		22
Cambridge		18
Libraries at Edinburgh, Aberdeen, St. Andrew's and Glasgow		8
Libraries at Dublin, and at the Cathedrals of Armagh, Waterford and Ossory		10
TOTAL		122

This

785 xx

This constituted the whole of the established and regular public distribution in 1822, according to the Return then made to an order of the House of Commons. The remaining 78 copies were reserved for the Commissioners, the Secretary of the Sub-commission, persons in correspondence with the Commissioners, or aiding in the prosecution of their undertaking, particular officers and offices to whose business the particular publication may specially relate, and for the future Commissioners and Sub-commissioners upon their respective appointments.

An account was at the same time (12th February 1822) rendered to the House of all sums of money which had been received for copies sold since the date of the Treasury order of August 1810. The whole amount was 3,354 *l.* 9 *s.* 6 *d.*; whereupon the House, on 7th March 1822, resolved,

> That the sales of the works published by the Record Commission from the commencement of discontinuance of distribution of such works to the Members of this House, under the Treasury minute of 1810, have produced no more than the sum of 3,354 *l.* 9 *s.* 6 *d.*, being an annual produce of not quite 300 *l.*, during a period of nearly 12 years, subject to deductions for charges of sale; and
>
> That the object of public utility will be better consulted by reverting to the former usage of distribution of such works as are particularly connected with the laws and constitution, rather than by the application of any sums of such small amount in diminution of the expenses attending on the publication thereof.

These resolutions were referred to a Select Committee, who in their Report, dated 29th March 1822, state the impossibility of presenting to each Member of the House a copy of the Statutes, without having a reprint of the work, but submit to the House,

> That it would be expedient that the distribution of the works should be further extended, by granting them in deposit to such libraries established in the cities and large towns of the United Kingdom as the Commissioners may think most likely to preserve them, and render them usefully accessible to the public; and
>
> That this grant might properly be guarded by an inscription in the volumes, importing that they are given in trust for the public; that in the event of the dissolution of the establishment they are to be returned to the Home Secretary of State's Office; and that while in the possession of the grantees they are to be accessible without difficulty to any.

The recommendations of the Select Committee were adopted by the House and by the Commissioners; and when a Return of the distribution was made, on 1st July 1825, the following libraries are found added to the original list:

Bristol Library Society.
Liverpool Royal Institution.
London Institution.
Dr. Williams' Library, Red Cross-street.
Exeter Institution.
Reading Institution.
Cork Royal Institution.
Portico Library, Manchester.
Public Library, Norwich.
Irish Office, London.
Somerset and Taunton Institution.
Literary and Philosophical Society, Newcastle.
Sheffield Subscription Library.
York Subscription Library.
Birmingham Public Library.
Cupar, Fife, Public Library.
Bath Institution.
Subscription Library, Coventry.
East India College, Hertford.
Yarmouth Public Library.
Leeds Subscription Library.
Kingston-upon-Hull Subscription Library.
Montrose Public Library.

In all 23, which, added to 122, makes the total number of deposits up to July 1825, 145.

In a similar Return, dated 17 April 1828, it is found that the two following libraries had been added to the list:

The library of the Corporation of the City of London, and the Shrewsbury School library.

When, in March 1831, the present Commissioners entered on their labours, they found that the distribution was made according to the list of 1828, with the addition of seven foreign libraries, to which sets had recently been sent, and of seven other libraries or places of deposit at home, which had either been admitted upon the list, or whose applications were then under consideration. The total number was 161.

In England, the distribution extended to 125 sets. But of those 74 were in three localities, namely, London and the two Universities; 35 in cathedrals or episcopal libraries, or libraries of ancient foundation, governed by particular statutes, which precluded that easy public access which is so essential to the utility of those works. Only 16 had been placed in libraries in the country towns, which were founded by voluntary associations, and where the access was at all times easy and convenient.

In Wales, the only sets were those which had been placed in the four cathedral libraries.

To Scotland, 11 sets were sent, viz., five to Edinburgh, four to the libraries of the University of Aberdeen, Glasgow and St. Andrew's, and two to the subscription libraries at Cupar and Montrose.

The number of sets transmitted to Ireland was 14, of these 10 were placed in various

Appendix (B.)

No. 1. Distribution of Works published by the Commission.

libraries at Dublin. The cathedral libraries of Armagh, Ossory and Waterford had each one, and one set was placed in the library of the Royal Institution at Cork.

The distribution abroad was confined to seven sets, two to His Majesty's library at Hanover, and the library of the university at Gottingen. The other five were sent to Berlin, Berne, Copenhagen, Frankfort and Paris. None had been sent to the United States of America.

The colonies and British dependencies had not been included in the distribution.

It appeared to the Commissioners that by such a distribution the recommendation of the Select Committee of 1822 was but imperfectly carried out, and it was immediately resolved that, where the stock of works on hand enabled them to do so, a much more extensive scheme of distribution should be adopted. Taking in the basis of the new system the spirit of the recommendation to which reference has just been made, that the point of *utility* was that at which it was proper to aim in the distribution of their works, and regarding this as being the object contemplated by His Majesty and by Parliament in directing that these records should be printed, they have encouraged applications from all parts of the empire, and have even in some instances sought out places of convenient deposit in parts of the empire from which no direct applications had been made.

The Commissioners have not, however, extended their home distribution without reference to another principle, which may be said to be embodied in the second recommendation of the Select Committee. Where the works have not been placed in deposits which are connected with the civil polity of the country, or in libraries of chartered societies, or in other libraries for which perpetuity is secured by the foundation, but in libraries collected by voluntary associations, whether under the name of institutions or the humbler name of subscription libraries, they have endeavoured to ascertain that there was a reasonable probability that such associations would be *permanent*. The tests by which they have in this respect been guided, have been the existence of buildings erected for the purpose of the library, the amount of subscriptions for the formation or support of it, and the regular attendance of a librarian. But they have also adopted the recommendation of the Select Committee, by a notice impressed upon each work, that it is to be returned to the Home Secretary of State's Office, in the event of the dissolution of the society. They have also required from such societies as these that access shall be allowed to all persons who may wish to consult them for literary or legal purposes, whether members of the association or not.

To what extent this has been done, the schedules annexed will show. On the whole, the Commission of March 1831 has, up to 31st December 1835, added 226 deposits to the 154 which they found on the home distribution list, making a total of 380 deposits of those works in the British isles.

They have also acted upon a principle sanctioned by the former Commissions from the beginning, that the point of utility might be in some instances well secured by placing copies of particular works in the libraries of individuals engaged in researches requiring constant or frequent reference to them. This they have done, sometimes in the way of loan and sometimes by gift.

It was also very early suggested to the present Commission, that it was expedient to introduce upon the distribution list some of the British colonies or dependencies, for the convenience of legal and literary persons residing in them, and to foster an attachment to the mother or the protecting country, by being a constant memorial amongst them of its early greatness and its ancient glories. It will be seen in schedule (C), that 19 sets have been thus distributed; viz., two to the Channel Islands, three to Gibraltar, Malta and the Ionian Islands, five to the North American Colonies, eight to the several Presidencies of India, and one set to Australia.

A limited foreign distribution had been introduced into the operations of the former Commission. The Commissioners of March 1831 determined upon a great extension of this distribution, seeing in it an easy mode of cultivating a friendly understanding with an influential class of persons, and of producing a friendly correspondence among the learned in different countries engaged in the more profound researches into the history of Modern Europe, and they received for this the sanction of His Majesty's Government. Many sets have been transmitted to libraries in the United States of America, where they are valued, not only as a pledge of a friendly disposition, but as containing the best information concerning the origin of institutions or usages which are common to them and to the mother country. The countries abroad to which the works have been sent will be seen in Schedule (D). The Commissioners have had reason to know that their liberality has been justly appreciated, and it has produced in one or two instances the reciprocation of similar civilities.

The total number of sets distributed, according to the list made up to 31st December 1835, is 511; but these sets are not in all cases complete sets of the Record publications; of the statutes, for instance, and the Fœdera, only 500 copies were printed. These have been given only where there appeared to be a peculiar propriety in including them in the new grants. Of the publications of the present Commission the number of copies printed has seldom exceeded 500, and sometimes fallen below that number. Of these, therefore, the distribution has not been made with the same liberality. They have not been presented even to all the libraries which were in the original distribution list, it having appeared to the Commission that the purpose of utility would be secured, in respect to the universities, by placing sets in the public libraries and in the libraries of a few of the colleges, and that a diminution might, without injury, take place in the list of libraries and offices in London to which the works of the Commission had usually been sent.

ANALYSIS of the DISTRIBUTION LIST, as made up to 31st December 1835.

Appendix (B.)

No. 1. Distribution of Works published by the Commission.

Schedule (A).

Total distribution by the old Commission	161
Added by the existing Commission	350
TOTAL distribution	511

Schedule (B).

	Old Commission.	New Commission.	TOTAL.
The Home distribution	154	226	380
The Colonial distribution	-	19	19
The Foreign distribution	7	105	112
TOTAL	161	350	511

Schedule (C).

The Colonial Distribution.

The Channel Islands	2
The Mediterranean, &c.	3
The North American Colonies	5
India	8
Australia	1
TOTAL	19

Schedule (D).

The Foreign Distribution.

	Old Commission.	New Commission.	TOTAL.
Germany and the Prussian Dominions	4	30	34
France	1	22	3
Italy	-	4	4
Belgium	-	4	4
Switzerland	1	2	3
Portugal	-	3	3
Hungary	-	2	2
Sweden	-	2	2
Prussia	-	2	2
Denmark	1	-	1
America, the United States	-	34	34
TOTAL	7	105	112

Schedule (E).

The Home Distribution.

	Old Commission.	New Commission.	TOTAL.
England	125	139	264
Wales	4	8	12
Scotland	11	46	57
Ireland	14	33	47
TOTAL	154	226	380

Appendix (B.)

No. 1. Distribution of Works published by the Commission.

Schedule (F.)

Classification of Libraries and other Depositories in the Home Distribution.

The King's Library	1
The Library of the Lord Lieutenant of Ireland	1
Cathedral Libraries	31
Episcopal Libraries	5
Libraries of Collegiate Churches	3
The Libraries of Universities	49
The Libraries of Colleges (not in Universities)	7
The Libraries of Grammar-schools	3
The Library of the London University	1
Libraries in Parish Churches	2
Libraries attached to Ecclesiastical Courts	2
Libraries of the Inns of Court	7
Libraries of the two Houses of Parliament	2
The Library of the Court of Exchequer	1
Record Offices	17
Public Offices	5
Libraries of Chartered Societies connected with Literature	7
Libraries of other Chartered Societies	4
Libraries of Law Associations	7
Libraries founded by individuals	8
Libraries founded by Private Associations	140
Municipal or County Offices	77
TOTAL	380

Schedule (G.)

Classification of Libraries and other Depositories in the English Distribution.

The King's Library	1
The Cathedral Libraries	22
Episcopal Libraries	5
Libraries of Collegiate Churches	3
The Universities: Oxford, 23; Cambridge, 18; Durham, 1	42
The Libraries of Colleges, not in Universities	6
The Libraries of Grammar-schools	3
The Library of the London University	1
Libraries in Parish Churches (Marlow and Wisbeach)	2
Libraries attached to Ecclesiastical Courts	2
Libraries of the Inns of Court	4
Libraries of the two Houses of Parliament	2
The Library of the Court of Exchequer	1
Record Offices	12
Public Offices	4
Libraries of Chartered Societies connected with Literature	5
Libraries of other Chartered Societies	4
Libraries of Law Associations	4
Libraries founded by individuals	6
Libraries founded by Private Associations	96
Municipal or County Offices	39
TOTAL	264

Schedule (H.)

Classification of Libraries and other Depositories in the Welsh Distribution.

The Cathedral Libraries	4
The Library of St. David's College, Lampeter	1
Libraries founded by Private Associations	2
Municipal or County Offices	5
TOTAL	12

Schedule (I.)

Classification of Libraries and other Depositories in the Scottish Distribution.

University Libraries	6
Libraries of the Faculty of Advocates and the Writers of the Signet, Edinburgh	2
Record Offices	2
The Library of the College of Physicians, Edinburgh	1

Libraries of Law Associations	3
Gray's Library, Haddington	1
Libraries founded by Private Associations	27
Municipal or County Offices	15
TOTAL	57

Schedule (K.)

Classification of Libraries and other Depositories in the Irish Distribution.

The Library of the Lord Lieutenant	1
Cathedral Libraries	5
The Library of Trinity College, Dublin	1
The Library of the Hon. Society of King's Inns, Dublin	1
Record Offices	3
Ordnance Survey Office	1
Library of the Royal Irish Office	1
The Library of Steven's Hospital	1
Libraries founded by Private Associations	15
Municipal or County Offices	18
TOTAL	47

Schedule (L.)

The English Distribution in respect of Counties, with the Population of each County, according to the Census of 1831.

COUNTY.	Population.	Distribution.	COUNTY.	Population.	Distribution.
Bedford	95,483	2	Norfolk	390,054	6
Berks	145,389	3	Northampton	179,336	3
Bucks	146,529	3	Northumberland	222,912	5
Cambridge (1)	143,955	3	Nottingham	225,327	4
Chester	334,391	4	Oxford (1)	152,156	3
Cornwall	300,938	5	Rutland	19,385	0
Cumberland	169,681	4	Salop	222,938	4
Derby	237,170	2	Somerset	404,200	5
Devon	494,478	7	Southampton	314,280	5
Dorset	159,252	3	Stafford	410,512	8
Durham	253,910	5	Suffolk	296,317	3
Essex	317,507	2	Surrey	486,334	3
Gloucester	387,019	7	Sussex	272,340	4
Hereford	111,211	2	Warwick	336,610	6
Hertford	143,341	4	Westmorland	55,041	0
Huntingdon	53,192	2	Wilts	240,156	5
Kent	479,155	5	Worcester	211,365	4
Lancaster	1,336,854	16	York, viz. East Riding	168,891	2
Leicester	197,003	1	— City and Ainsty	35,362	2
Lincoln	317,465	6	— North Riding	190,756	3
Middlesex	1,358,330	49	— West Riding	976,350	12
Monmouth	98,130	1			
			TOTAL		223

(1) University not included.

Schedule (M.)

Places in the English Distribution, arranged in Counties.

BEDFORD	Bedford, the Level.
BERKS	Reading, Sandhurst.
BUCKS	Eton, Marlowe, Wycombe.
CAMBRIDGE	Cambridge, Ely, Wisbeach.
CHESTER	Chester, Macclesfield, Stockport.
CORNWALL	Falmouth, Liskeard, Penryn, Penzance, Truro.
CUMBERLAND	Carlisle, Cockermouth, Rose-Castle.
DERBY	Derby.

Appendix (B.)

No. 1.
Distribution of Works published by the Commission.

Devon	Devonport, Exeter, Honiton, Plymouth, Tavistock, Totness.
Dorset	Bridport, Dorchester, Weymouth.
Durham	Durham, Bishop's Auckland, Sunderland.
Essex	Harwich, Maldon.
Gloucester	Bristol, Cirencester, Gloucester, Stroud.
Hereford	Hereford
Hertford	Hertford, Royston, St. Albans.
Huntingdon	Godmanchester, Huntingdon.
Kent	Canterbury, Chatham, Maidstone, Rochester.
Lancaster	Blackburn, Bolton, Bury, Lancaster, Liverpool, Manchester, Preston, Rochdale, Warrington, Wigan.
Leicester	Leicester.
Lincoln	Boston, Grantham, Lincoln, Stamford.
Middlesex	Fulham, Harrow, London, Westminster.
Monmouth	Usk.
Norfolk	Lynn, Norwich, Thetford, Yarmouth.
Northampton	Northampton, Petersborough.
Northumberland	Alnwick, Berwick, Morpeth, Newcastle.
Nottingham	Newark, Nottingham, Retford, Southwell.
Oxford	Henly, Oxford.
Rutland	———
Salop	Bridgenorth, Shrewsbury, Wenlock.
Somerset	Bath, Bridgewater, Frome, Taunton, Wells.
Southampton	Newport, Portsmouth, Southampton, Winchester.
Stafford	Burslem, Handley, Lichfield, Newcastle, Stoke, Walsal, Wolverhampton.
Suffolk	Bury St. Edmunds, Ipswich, Sudbury.
Surrey	Guildford, Lambeth, Southwark.
Sussex	Brighton, Chichester, Lewes.
Warwick	Birmingham, Coventry, Rugby, Tamworth, Warwick.
Westmorland	———
Wilts	Chippenham, Cricklade, Marlborough, Salisbury.
Worcester	Evesham, Hartlebury, Kidderminster, Worcester.
York, viz.	The East Riding: Beverley, Hull. City and Ainsty: York. The North Riding: Richmond, Scarborough, Whitby. The West Riding: Bradford, Doncaster, Halifax, Huddersfield, Knaresborough, Leeds, Pontefract, Ripon, Rotherham, Sheffield, Wakefield.

Schedule (N.)

Places in the Home Distribution to which more than One Set have been sent.

Aberdeen	3	Kirkcudbright	2
Ayr	2	Lichfield	2
Birmingham	2	Lincoln	2
Boston	2	Linlithgow	2
Bristol	2	Liverpool	5
Cambridge	18	London	47
Canterbury	2	Manchester	3
Carlisle	2	Newcastle-upon-Tyne	2
Chester	2	Norwich	3
Chichester	2	Oxford	25
Derby	2	Paisley	3
Dublin	13	Petersborough	2
Dumfries	2	Reading	2
Durham	2	Ripon	2
Edinburgh	8	Salisbury	2
Ely	2	Shrewsbury	2
Exeter	2	Sunderland	2
Glasgow	3	Waterford	2
Gloucester	3	Winchester	2
Haddington	2	Worcester	2
Hereford	2	York	2
Hertford	2		

— No. 2. —

STATEMENT on the subject of a GENERAL RECORD OFFICE.

THE convenience, not to say the necessity, of having ready access to the Records of former proceedings, for the officers of any public courts, would naturally lead to the establishment of places of deposit for them in the vicinity of the rooms in which such courts were ordinarily held. We therefore commonly find that the Records of proceedings in the baronial courts, both at home and abroad, were deposited in buildings generally within the walls of the castles in which the courts were held, or in apartments of the castle itself. The same thing is found in respect of the Records of the English sovereignty. After the Conquest, and probably long before, the Curia Regis was held ordinarily in the King's Palace at Westminster. There the Conqueror established his Court of Exchequer; and we accordingly find that the earliest and most august depository of the National Records was the King's Palace at Westminster, in and about which many apartments have been devoted to this purpose from the earliest periods down to our own time.

There are no means of determining at what time any Records were first deposited in the Tower of London. But that there were Records in the Tower in the reign of King Edward II. is evident by a writ upon the Close Rolls, addressed to the Barons of the Exchequer, by which the King commands them to employ a competent number of able clerks to superintend, arrange, and methodize the Rolls Book and Memoranda of the times of his progenitors, then in his Treasury [at Westminster] and in the Tower of London, touching his Exchequer, which he states were not then so properly arranged for his and the public weal as they ought to be.* This writ was dated at Westminster on 7th August, in the 14th year of his reign; and in the 16th year of his reign he issued a Record writ, which is also found in the Close Rolls, directing that calendars should be made of the bulls, charters, writings and memoranda in those depositories. The Tower must from the beginning have presented various apartments which admitted of being appropriated to this purpose; and there was the additional advantage of its being a fortress and capable of defence, thus affording security to documents of so important a character, which the Palace at Westminster did not possess. The almost total wreck and loss of our national Records before the reign of Henry II. is perhaps best explained by reference to the contests of the rival parties in the reign of Stephen.

The general principle on which the division of Records between Westminster and the Tower seems to have been settled, was, that the Records of Chancery were placed in the Tower, while those of the Exchequer and the Courts of King's Bench and Common Pleas remained at Westminster.

It is in the nature of Records to be in a state of continual accrescence, and consequently to be for ever outgrowing the repositories that may be provided for them. In the reign of Edward III. it was found necessary, or at least expedient, to add a third depository to the two great depositories already existing. In the reign of King Henry III. a church had been erected for the especial use of Jews who should embrace the Christian religion, with houses around it for their residence. The name of the establishment was the Domus Convercorum Judæorum. But in the reign of Edward I. the Jews being banished from England, the Domus Convercorum became nearly useless, and it was soon dissolved. In the 51st year of King Edward III. the sites, with the church and all the other buildings thereon, were granted to the Master of the Rolls as a place of residence for him, and a place in which to deposit the Records that were under his care. This great depository of Chancery Records is what is now called the Rolls or the Rolls Chapel.

As the mass of Records continued to increase, it became necessary to seek out other places of deposit. In the reign of Elizabeth some of the choicest of the national Records are found to have been in the Chapter House of the Conventual Church of Westminster, and in a portion of the adjoining cloisters; and that large edifice became by degrees filled with the overflowing of the ancient depositories in the Palace of Westminster. One of the chapels of the Temple Church was also seized upon as a place of deposit for a large mass of the Pedis Finium, where they remained till, under the direction of the Record Commission, they were added to other documents of the same class at the Chapter House.

Farther relief to the great depositories was obtained by the severence of certain branches of the Exchequer. When particular officers were appointed for any particular service and places assigned them for the performance of their duties, provision was made, as well as circumstances admitted, for the deposit of the Records belonging to that particular department in or near the building appropriated to it. Hence it is that most of the deposits arose which are found about the Inns of Court and Somerset House.

As it is not intended to give more than an outline of the distribution of the Records of the Realm, we pass over the various deposits of the Records of proceedings in the various Ecclesiastical Courts, and in other Courts which are not branches of the Four Great Courts, as well as every Court of which the Records are not preserved in deposits in London or Westminster. It is indeed the Records of the Four Courts alone for which it has been in contemplation to provide one general place of deposit.

The

* Cooper on the Public Records, vol. i. p. 17.

Appendix (B.)

No. 2.
General Record Office.

The inconvenience of having the Records, to which access is so frequently necessary, in so many different deposits, is felt in two ways: First, the loss of time in going on a search from one office to another, from the Tower (for instance) to the Chapter House, or the Augmentation Office at Westminster; and secondly, the difficulty of knowing to which office to have recourse for any particular document, and, as a consequence of this, the loss of time and increase of expense which attend searches. Both these inconveniences, however, admit of being much reduced. No one, it is presumed, would think of undertaking a search who had not previously made himself acquainted, more or less, with the species of document to be found in each particular office. He would not (for instance) go to the Exchequer Offices for documents belonging to the Court of Chancery, or to the Rolls for Chancery proceedings before the reign of Richard III. If his inquiry respected monastic property which was given to the Crown in the reign of Henry VIII., he would not think of going anywhere but to the Augmentation Office, in the first instance at least. If he was inquiring for an early fine, he would go at once to the Chapter House. Not that the Records have been in all instances kept thus distinct, so that each office has Records of a particular class and no other. In the long tract of time it may well be supposed that some irregularities have been introduced; and single documents are sometimes found in certain offices, the great mass of documents of that description being in another depository. Knowledge of this kind is not to be obtained without some close attention to the subject. To the persons whose profession it is to make searches in the Record, these irregularities (which after all are not very great) are well known; and the Appendixes to the Report on the Public Records of 1800 contain a vast body of information on this head, of which any person who pleases may avail himself; and much additional information of the same kind will be found in the Appendix to the Report which the existing Commissioners on the Public Records are about to make to His Majesty.

But there are circumstances connected with the dispersion of the Records, and the nature of their present deposits, of much greater moment than the mere loss of time, and the increase of expense to persons who may have occasion to make searches in them. In such a multitude of places of deposit, it cannot be expected that all will be equally secure from danger by fire, that all will be equally free from damp, and that the various presses and repositories will be equally suited to the purpose for which they are constructed. With such a variety of keepers, it is not to be supposed that all will be equally vigilant to prevent mischief, and all equally sensible of the value of the treasures committed to their keeping. With a constant increase of the documents, while the places themselves remain the same, it is manifest that in many of the depositories great inconvenience must in time be found, both to the officers themselves, and to the public who may have occasion to resort to them; and, in point of fact, documents of great curiosity and historical interest have been usurped upon by documents of a more recent date and greater practical value, till they have been buried and lost to the public. Again, places ill adapted to receive such frail and perishable articles must sometimes be their deposits, out of the mere necessity of depositing them somewhere, and no other suitable place being to be found. Thus no person would have thought of depositing a portion of the Records which were in the custody of the late clerk of the Pipe in the vaults at Somerset House, if a more suitable place could have been found; and no one could forsee that that place of deposit would have been rendered less suitable in a few years by the erection of King's College on a site adjoining. In general, on the present plan, there is no doubt that there is, first, danger of destruction by fire, and secondly, danger of that slower process of destruction which is the result of being compelled to have resort to places which are not free from damp, or even vermin, where there are not means of adequate protection from dust, and where there is also greater danger of small portions being lost, in consequence of their being placed in unsuitable or crowded presses.

Even the largest and most important depositories are, at present, exposed to hazard from fire. An explosion of the gunpowder in the fortress of the Tower would reduce the whole edifice to a ruin, and destroy every atom of record. The Rolls is surrounded at present by ordinary dwelling-houses, in which a fire might at any time happen. The Heralds' College and Doctors' Commons, containing some of the most important Records of the country, are notoriously in one of the most crowded localities of the metropolis. The Chapter House is connected with the kitchens of one of the adjoining houses. All those edifices were erected long before there was any idea of constructing buildings that should be fire-proof. But even the Augmentation Office, where there is very little wood-work in the construction of the building, but all is as far as possible of stone and iron, was lately exposed to imminent danger of destruction, with the Records deposited in it, when the two Houses of Parliament were burnt to the ground.

The attention of the members of the Record Commissions, and of other persons interested in this subject, has been turned from time to time on the circumstances above noticed, and to the consideration of the best means by which a remedy might be provided. But what gave a more definite and distinct character to the consideration, were the circumstances in which a great mass of Exchequer and Common Pleas Records has been ever since the year 1822. This great mass of documents was ejected from the ancient depositories which it had so long occupied in the Palace of Westminster, when the new courts of justice were erected on the west side of Westminster Hall. No receptacle had been provided for them; in fact, none that was suitable could then be found. As the only resource, a long wooden shed was constructed in the Hall, and in this the Records were placed. It was obviously only a temporary expedient; but there they lay, year after year, in a state of the utmost confusion,

exposed

exposed to pillage, shut up from all access, and (as it at length appeared) suffering from the depredation of vermin, and in part from dampness and the fermentative process. The removal to this shed, it may also be added, had been conducted in the most careless manner. On the coronation of His present Majesty, it became necessary to remove the shed, and the Records within it. Still no suitable or convenient place had been provided for them; but as a second temporary expedient, they were transferred to certain rooms in the King's Mews. While there, all was done that could be done for their better arrangement and security. The Commissioners on the Public Records obtained leave to arrange, cleanse and repair them. Then it was that the injury, which they had sustained while in the shed, was first fully manifested. But the Mews was an inconvenient place for such operations, and altogether unsuitable as a place of deposit for Records. In a short time, moreover, it was wanted for other purposes. It had been decided that the National Gallery should be erected upon the site. Again, therefore, the Records were to be removed: some were taken back to Westminster, and placed in rooms adjoining to the Augmentation Office; but the larger mass was taken to the only vacant place which could be found, the Riding House of the late Carlton Palace, where they now remain.

In the fate of these Records there was enough to call for the most serious attention of the Commissioners to the proper and the best remedy for evils which were thus made evident. In addition to the great mischief which attended these frequent removals, and to the placing of these documents in buildings obviously unsuited for them, was the large expense incurred in providing a succession of temporary deposits, an expense, which (it has been alleged) has almost equalled what would have been the expense of erecting a suitable edifice for them, when first they were ejected from their ancient and prescriptive repositories, and in which other houseless or ill-accommodated Records might have found a secure and convenient resting place. It was manifest that something must be done; and the question soon assumed this form, Whether it would be more expedient to erect a building for the reception of the Records of this branch of the Exchequer, and of the Common Pleas Records, which were in the same state of adversity, (supposing, which seemed to be the case, that there was no building to be found except it were a private house to deposit them,) or to raise a more spacious edifice, constructed purposely with a view to its being, now and in all time to come, the repository of the whole, or of great portion, of the National Records.

It has appeared to Commission, that the only adequate remedy to some of the inconveniences which attend the present plan, is the erection of one other, or of several other places of deposit. It is in vain to complain of the unsuitableness of any particular depository, unless it can be shown, either that the depository is more unsuitable than it might be made, or that there is some other place of deposit to which the Records in it might be removed. On the whole, the feeling has been strong, that the time was come when it was requisite to provide some new and extensive repository in which might be collected the great mass of the National Records, with provision for that accrescence which is constantly going on.

The subject was not, however, one which merely engaged a certain amount of attention and consideration on the part of the Commissioners; but, strongly impressed as they became with the importance of it, and the necessity of some immediate steps being taken, they determined to bring the subject under the notice of His Majesty's Government. As early as 1831, Sir John Leach, the Master of the Rolls, had formed a scheme for enlarging the depository at the Rolls, by surrendering the Master's house to form an additional place of deposit, not only for the overflowings of the Rolls Chapel, but for the King's Bench Records at Westminster, and for those of the Clerk of the Pipe which were in the vault at Somerset House. This scheme in a short time expanded into a scheme for the erection of a General Record Office. The Master was willing to resign his interest in the whole Rolls' estate. A space of ground of more than two acres, lying between Chancery-lane and Fetter-lane, would be thus obtained, which it was thought would afford ample space for the erection of a detached edifice, and at the same time, according to the design, a suit of chambers for the Judges. The situation appeared admirably well adapted for the purpose, being central to the population of the metropolis, and close to the various Inns of Court. Not less important, perhaps, is its proximity to the newly erected Law Institution, a place of frequent resort to gentlemen of the legal profession.

A survey of the ground, with reference to this purpose, was made by Mr. Deering, an architect of eminence, whose plans and estimate were laid before the Board by the late Lord Dover, one of the Commissioners. Doubts had been suggested whether the edifice which was contemplated could contain the great mass of the national Records. Mr. Deering laid before the Board an actual admeasurement of the superficial area of the Records at the Tower, the Chapter House, the King's Mews and other depositories; and showed that the space in the proposed edifice would be sufficient for the whole, and one half more.

It is not, however, intended here to enter into the details of Mr. Deering's plan, farther than to show that, however any one may be impressed with the apparent magnitude of the mass of National Records, as he surveys them in the Chapter House, the Rolls Chapel or the Tower, yet that a building might easily be erected on the site proposed which should contain them all, with provision for their increase during two or three centuries, and in which they might be deposited in a manner far more easily accessible than in the places in which they now are.

It was proposed that the expense of the building should be defrayed out of the Suitors' Fund.

Appendix (B.)

No. 2.
General Record Office.

When the scheme had thus far proceeded, it was brought under the consideration of the Government, and was favourably entertained. In a representation to the Lords of the Treasury, drawn up by Mr. Protheroe in April 1833, "The Commissioners beg to call their Lordships' attention to a project which they have under their consideration, of erecting a General Depository of Records on the Rolls' Estate, with money derived from the Suitors' Fund. The plan has the advantage of being unaccompanied by any demand of public money, or any application for a site on Crown Land."

On the 25th of January 1834, a letter, addressed by the Honourable James Stewart from the Treasury to the Commissioners, was laid before the Board; in which he states, "and I am to acquaint you farther, in reference to the last paragraph in your representation on the subject of the Rolls' Estate, that any feasible plan which you can suggest for erecting a General Depository of Records, without expense to the public, must meet with the entire concurrence of this Board."

Wherefore a Bill was drawn, intituled, "An Act for empowering the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works and Buildings, to erect a General Record Office; and to empower the Society of Judges and Sergeants-at-Law to build new Chambers for the Judges, and for other purposes." This Bill was approved of and settled by Sir John Leach; and Lord Duncannon, then Chief Commissioner of Land Revenue, gave notice in the House of Commons, that he should, on the 11th of July 1834, move for leave to bring it in. His Lordship being about that time appointed Secretary of State for the Home Department, the farther proceeding in this matter was postponed to the ensuing Session of Parliament.

The decease of Sir John Leach, in the summer 1834, was another interruption to the progress of this business: and on the 18th of March 1835, W. G. Adam, esq., Accountant-general of the Court of Chancery, addressed a letter to the secretary of the Record Commission, inclosing a statement of the present amount of the Suitors' Fund, its income, and the charges upon it, and protesting against any part of the Suitors' Fund being made applicable to the expense of erecting a General Record Office.

Whether that is the proper fund out of which the expenses of the proposed improvement ought to be defrayed, the Commissioners have not felt themselves called upon, nor been in a condition absolutely to determine. It appeared to them that, as so large a portion of the Records for which a convenient repository was to be provided was Records of the Court of Chancery, there could be no great impropriety in applying to the surplus income of the fund belonging to the suitors in that Court. But all which they did was, to suggest this to His Majesty's Government, and to embody it in the Bill; leaving the whole subject, and this part in particular, to be dealt with as to the wisdom of Parliament might seem meet.

The two Lords who since the death of Sir John Leach have held the office of Master of the Rolls have shown themselves not indisposed to carry into effect the design of their predecessor.

But whatever may be the fate of this particular measure, and whatever opinion may ultimately be formed on any part of the details, should the scheme in its present form be submitted to Parliament, the Commissioners will still remain impressed with a sense of the necessity of providing some new and extensive repository, as the only adequate remedy for many existing evils.

They see in it the only means of remedying the inconvenience of which so much complaint is made, of the want of knowing where searches for particular documents are to be made with the best chance of finding them, and the necessity of going in many instances from office to office situated remote from each other.

They see in it the best means of providing for a better arrangement of the Records, and consequently that the contents of the offices shall be more completely known than is (in some instances) at present the case to those persons who have the care of them, and on whose knowledge those who have occasion to search in them must chiefly depend, when they desire to know whether a particular document is or is not on record.

They see in it the best, and they believe at last the cheapest, mode of providing for the preservation and security of the existing Records, as well as for the reception of those which are being daily created and added to the ever-accumulating mass, both as respects their general preservation when contemplated as masses, and the preservation of particular documents which, from their position in the present depositories, may be more exposed to danger than others.

It also appears to them, that such an entire revolution in the system of Record keeping as this scheme would occasion would be most favourable to the introduction of many beneficial, if not necessary reforms, in respect of the hours of attendance, the facilities of access, the business of making calendars and indexes, and the general management.

They further contemplate in it, and for this object provision was made in the Bill, a very considerable saving to the public in the amount of salaries paid to various keepers and clerks in the present repositories, together with a great reduction in the fees which at present the keepers of those repositories are authorized to demand.

They also submit, that the present is not a question between Movement and Inaction, for that in respect of certain of the Records something must be done for their better preservation and more convenient use, if it is intended that they shall continue to be used, and if it is thought important to hand down the memorials of the proceedings of the past for the information of future generations.

— No. 3. —

Mr. COOPER'S STATEMENT concerning the "School of Transcribers."

Appendix (B.)

No. 3. School of Transcribers.

My design of establishing a School of Transcribers of Records was publicly intimated in my Preface to the "Account of the most Important Public Records," published in 1832; wherein, after showing the usefulness and economy of making faithful transcripts of Records which could not well be printed, I proposed that, "In order to insure a succession of skilful transcribers, a school should be established for teaching young men the languages and the characters in which our ancient rolls are written, who should be employed as copyists in the offices, and should eventually be promoted to the situation of clerks, deputy-keepers, &c. as vacancies might occur." In a note to the same passage, the Ecole des Chartes, which was founded at Paris in 1821, by an ordinance of Louis 18, was mentioned as the prototype of the design; and farther particulars of that foreign institution were promised as forthcoming in a preface, designed to be prefixed to the catalogue of such part of the French Archives as relates to Great Britain, the future publication of which was there announced.

It was in the summer of 1834 that Mr. Black removed from Oxford to London, and was directed to employ himself (among other things) in forming a chronological catalogue of Rymer's MSS. in the British Museum. On the transcription of those MSS. I had then set some of the young men who were employed by the Board; namely, Mr. Bond, Mr. Wylde and Mr. Nelson. The superintendence of the young men so engaged was committed by me to Mr. Black, with instructions to fill up the number to six or seven. Mr. Bond, who had been longest employed there, and whose acquirements were understood to be considerable, was then removed to the Tower (to transcribe Records of a more difficult nature). Mr. Wylde was so irregular, and so much absent, that he was discharged in or before September in that year. To Mr. Nelson were added Mr. Birch, Mr. Green and Mr. Hertslet, about the end of August 1834; and in September Mr. Hornby was also engaged. He worked at Mr. Black's house and under his eye, but continued only six months. By the desire of one of the Commissioners Mr. Emperor was taken into this school, in January 1835, who left in the following December for a different employment; and by the recommendation of another Commissioner Mr. Slack was employed at my chambers in New Boswell-court, partly under my direction, and partly under Mr. Black's, as a plain copyist for the Board: the latter continued but very few months, and then suddenly left his work. At Midsummer 1835 Mr. Noakes was engaged as one of these pupils: he has chiefly been occupied at Mr. Black's house, and his is the last name to be reported.

Ten young men have therefore been in this school; but, beside the others whose discontinuance has been mentioned, Mr. Birch having gone to more difficult work at the Tower, under the direction of Mr. Stevenson, in September last, Mr. Black has only four at present in his establishment, namely, Nelson, Green, Hertslet and Noakes, who are very steady, teachable, and well-conducted young men. They have been engaged at the small salary of 40*l.* a year, on the express understanding that they were rather pupils than clerks, (yet in fact they are the latter as to their occupation) and must hope for increase of income in proportion to their advancement in knowledge and skill in Records. Though the principal work on which they are employed is the transcription of Rymer's MSS., than which it is impossible to select an occupation more useful to the Board, and at the same time instructive to themselves, being less difficult than the handwriting of the original Records, yet they have by no means been confined to this task. The transcription of original charters and other documents, making extracts from MSS., copying for the press or other business, perusing MSS. and Records for various researches so far as could be intrusted to them, perusing lists or indexes of various articles for like purposes, and framing catalogues and calendars of Records, have been among their various employments, according to their respective degrees of learning and skill. Among these works may be expressly mentioned, a Calendar of three bundles of original Signet-Bills of Charles I., in the Chapter House, which was wanted on one occasion; and a Calendar of Records contained in eight very large volumes among the Harleian MSS. which consist of 15 King's Bills of Charles I., 37 Signet-Bills of Charles II., and 780 Signet-Bills of Queen Anne; all which are originals, and of which no other calendar, catalogue or index, is in existence beside this, of which a copy is designed to be placed in the British Museum.

By reason of the instructions which Mr. Black originally received from me he has thought it his duty to use all proper means of instructing these young men in the business for which they were destined, and he has done so as far as was consistent with his other duties, and often at their leisure hours when they have called at his house. They have shown great diligence in improving themselves and each other in the knowledge of the handwriting, language and purport of Records, and in the method of ascertaining or reducing dates. But the principal means of instruction which Mr. Black designed, that of giving familiar lectures in palæography and diplomatics, he has never yet had leisure enough to bestow on them. A selection of fac-similes was also designed to be made for the use of such pupils; but as yet there have been selected only the 12 plates of writing anterior to the Norman Conquest, and of Irish hands, which are given in the supplement to Appendix (A.); and they have scarcely attempted the tracing of fac-similes yet. The regular organization and instruction of this class of pupils were certainly among the objects contemplated in the formation of the library of the Commission; and when employed in

Appendix (B.)

No. 3. School of Transcribers.

one of the rooms of that library, as two or three of them have been for months together, their use of the books was not only frequent but constant.

Of the junior clerks of the Board, employed at the Chapter House and at the Tower, I cannot observe much, not having had the same opportunity of being acquainted with the steps taken to instruct them: I shall therefore only add, (beside my assurance that such an institution for the study of diplomatics, on a very small scale, and much inferior to those in France, Bavaria and Portugal, must be a public benefit,) that Mr. Black long ago designed to compile and print a Diplomatic Manual for the use of the young transcribers; and the proposal met with my approbation, so far that Mr. Black obtained from the King's printers impressions of all the diplomatic types used in their office, and would have proceeded to set up a specimen of the Manual; but his other occupations induced him to lay aside the design till a more auspicious opportunity. Its contents were to have been the following:

1. An Alphabet of Diplomatic Types, explaining the uses of the characters employed in printing Records; enlarged from what Mr. Black had formerly published in the Excerpta Historica.

2. A Vocabulary of all the principal Abbreviated Words met with in such Records as have been printed (with occasional examples) and in others most likely to occur to the transcribers; adapted from Mr. Hardy's table in the Introduction to the Close Rolls, and enlarged.

3. A Chronological Table, exhibiting in one view the regnal or official years of the Emperors, the Kings of England and France, the Popes, and the Archbishops of Canterbury; also, the Dominical Letters, Day of Easter, and the Indiction, from the year 1001 to a recent or the present time; chiefly adapted from Sir Harris Nicolas's Chronology of History, which is a text-book in this diplomatic school, though partly compiled before the publication of that useful work.

4. Other Chronological Tables, and rules for the reduction of dates.

5. An instructive List of the most useful Books of reference for diplomatic purposes.

— No. 4. —

No. 4. Imperfections of the Publications of the Board examined.

CHARGE of that kind of Imperfection which is to be remedied by more extended Searches in the various Offices, against the Publications of the Board, examined.

1. Catalogue of the Cottonian MSS.
2. Catalogue of the Harleian MSS.
3. Catalogue of the Lansdownian MSS.

} does not at all apply.

4. The Statutes. Does not, it is believed, apply.

5. The Exon Domesday, Inquisitio Eliensis, the Winton Domesday, and the Boldon Book. Each of these is, it is believed, an entire, perfect, and independent Record. I never heard of copies of them being found in the offices of Record here in town, which ought to have been collated. Other documents might perhaps be found, similar in their nature, and belonging to nearly the same period, which it might be well, if found, to publish; but the publication of any such, if such are found, would not make this work imperfect.

6. Abbreviatio Placitorum. This is, in one sense, imperfect; but not in a sense which any researches in the offices would remedy.

7. The Testa de Nevill and Liber Feodorum. This, as a work of the 13th century, or beginning of the 14th, has an entirety of its own, an independent existence, and as such was committed to the press. The whole is printed; and no charge of imperfection can be justly made against it, because similar matter not in the Testa may be found. No doubt much other matter relating to the feudal distribution of England exists, which it may or may not be expedient to collect and print; but, if collected and printed, still the work called Testa de Nevill or the Liber Feodorum would retain its character of entirety and individuality.

8. The Hundred Rolls and Rolls of Quo Warranto. This work is more open to suspicion of imperfection, of the kind we are speaking of, than any of the preceding. I can say nothing decisive respecting it.

9. Pope Nicholas's Taxation. Manuscripts of the whole or of the greater portion of this Taxation exist in the University Library at Cambridge, and in the Tower. It may be a question whether these (and perhaps other early copies of the whole or part might no doubt be found) should have been collated as well as the King's Remembrancer's and the Cottonian copy. But this is a question of collation rather than of completeness. Is there reason to suppose that portions of this Taxatio anywhere exist which are not in the printed volume? The Taxatio for Ireland would be a Record very proper for publication; but the existence of any portion of it does not impeach the completeness of this volume.

10. The Nonæ Rolls. It is asserted that many Rolls of this class have been discovered since the publication of this work.

11. Calendars to the Charter Rolls and the Inquisitions ad quod damnum. These are to be regarded but as calendars of a recent date, admitted to be (to a certain extent) imperfect, but not chargeable with that kind of imperfection which is to be remedied by discoveries of lost Records, if it were probable that such discoveries would, in the case of these Records, be made.

12. Calendar

12. Calendar of the Patent Rolls. The same remark applies to this volume. But this calendar was never meant to include all the Writs on these Rolls, only certain selected ones.

13. Calendar of the Inquisitions Post Mortem. The same remarks apply. If it was thought expedient to print calendars at all, not those in use in the Record Office at the Tower, but calendars formed purposely for the benefit of the public, should have been prepared.

14. Abstract of the Originalia. This is of the nature of a calendar, and the same remarks apply.

15. The Valor Ecclesiasticus, 26 Henry VIII. The custody of this very important Record was committed to the officers of the First Fruits and Tenths. All of it which now exists in their custody is, it is believed, printed. At the same time considerable portions of it are lost; when, or how, no one knows, but it was long ago. Possibly some of these may one day or other come to light, but this is more a case of possibility than of probability. As for the papers which have been represented as portions of the Valor, they have not the smallest pretension to be so regarded, and it is an injurious proceeding so to represent them. Nothing is contained in the Valor but what was certified into the Exchequer under the hands of the Commissioners, sworn to make true returns on the matters given them in charge*.

16. Calendars of Chancery Proceedings in the reign of Elizabeth. This work is calendar, not record; I know not whether all these proceedings for that reign had been collected before it was made.

17. Ducatus Lancastriæ. This also is but a calendar, and perhaps both parts may not contain all the Records which ought to have been noticed in it.

18. The Parliamentary Writs. } There is scarcely any saying what documents might not
19. The Fœdera. - - } find a place in such works as these; and they will be deemed complete or incomplete, susceptible of additions, or the contrary, according to the principle which any one fixes in his own mind respecting the documents of which works such as these should be composed. It is said, however, that some documents have been discovered which would, if known, have appeared in the Parliamentary Writs.

20. The publications of the Scottish branch of the Commission. On these it is not intended here to enter. But it is supposed that there is no reason to expect that any researches in the offices in London will establish a charge of imperfection against them.

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21. The Chancellor's Rolls, 3 John. Complete.

22. The Miscellaneous Volume from the Chapter House. No. I., No. II. complete; No. III. only extracts, professedly so.

23. The Pipe Roll of 31 Henry I. Complete.

24. The Pipe Rolls of Henry II. Richard I. and John. This publication is ordered and begun, but no part yet published. The series is known to be complete from the end of Henry II. and there is no room to suppose it could be more so.

25. The Fines of Richard I. and John. Every effort is made to collect them together, that the work may be complete, as containing all the fines remaining of record in the proper custody. It is possible that a stray fine or two of those reigns may be found out of its proper custody, but inquiry has been made with no successful result.

26. The Close Rolls. Not the smallest probability that this volume does not contain all which it can be expected shall ever be found of these Rolls for the proposed period.

27. The Patent Rolls. The same remark applies.

28. Rolls of the Curia Regis. To these also, I believe, the same remark would apply.

29. Rotuli Normanniæ. The same remark applies.

30. Excerpta e Rotulis Finium. The same remark applies.

32. The Introduction to Doomsday. } Of course out of the reach of the objection.
33. Sir Francis Palgrave's Essay. }

34. The Privy Council Books. Possibly some portion of these may not have been used; but diligent search it is believed has been made.

The result is:

(I.) That this charge, which has been put forth in various forms, does not apply to the publications of the present Board.

(II.) That if at all, it applies to very few of the publications of the old Board.

(III.) The instance of the Valor Ecclesiasticus, the only one which Mr. Protheroe produced in his evidence, he made the assertion which it has been the object of the present inquiry to examine, and concerning which he deposed, that portions of it relating to one of the Welsh dioceses had been recently discovered, is no instance of the discovery of portions of that record after the publication of it; the Commissioner probably having relied upon information given him by some one, who, in this instance, has shown a want of discrimination in distinguishing documents which resemble one another, but are really different, or having himself not remarked the distinctive character.

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* Those accounts of the dioceses of St. Asaph and Bangor in the sixth or supplementary Volume are not Valor; and it was inexpedient to print them, even as a supplement, except as they show something of the manner in which the Commissioners proceeded. A portion of the same accounts, which seems to have been rejected on account of the state of great decay, when the rest were bound several years ago, are what are alluded to above.

— No. 5. —

Appendix (B.)

No. 5.
Mr. Cooper's Statement to Questions 1435–1480. 1589.

MR. COOPER'S Statement with reference to the Evidence given in answer to Questions 1435–1480 and 1589.

Charges.

I. The Board's ignorance of the remuneration of editors.

II. The want of any apportionment or expense, and the consequent impossibility of forming a judgment upon any one branch of the duties submitted to the Board.

III. The omission of all calculations or estimates of any proposed works, so that no judgment can be formed upon the economy or extravagance in any one work, pamphlet, book, or anything else published under the orders of the Board.

It will be convenient to consider these charges with reference to the returns of December 1833 and of January last, rather than with reference to the minutes of the proceedings of the Board and the accounts, as the returns are in the hands of the Committee, and may be easily turned to in verification of my remarks.

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1. Ignorance of remuneration of editors. The printed return of December 1833 purports to contain the names of the sub-commissioners and other persons then engaged in editing and compiling the different works printed and undertaken under the superintendence of the Record Board, also of the persons employed in cleaning, repairing and sorting the records, and as clerks, copyists, &c., with a statement of the particular works upon which they were engaged, and of their salaries, wages and other remuneration. Now the following are the names of these sub-commissioners and other persons: Sir Francis Palgrave and his five clerks, William Matchwick, George Aungier, John Thomas Jowett, Joseph Brett and Henry Williams; Mr. Caley, Mr. Petrie, Mr. Anewrin Owen, the Rev. Joseph Hunter, Mr. Charles Panton, Mr. Thomas Duffus Hardy, Mr. William Kingston, Sir Harris Nicolas, Mr. Baker, Mr. Charles Roberts, Sir Henry Ellis, Mr. William Hardy, Mr. Charles Devon, Mr. Frederick Devon, Mr. Joseph Stevenson, Mr. Julius Drescher, Mr. Henry Cole, Mr. John Trickey, Mr. Richard Downer Bond, Peter Paul, Henry Barber, Josiah Blainey, Richard Martin, Charles Gay, Henry Gay, James Barber, Robert Hanney, Mr. George Smith, William Henry Bennett, John Catling and Mary Smith. Upon going through these names, it will be seen that wherever there is an omission of the amount or rate of salary, wages or other remuneration, the reason is assigned, except in the instance of Mr. Cole. It is stated that he had occasional employment out of office hours, for which he was remunerated according to the nature of the work, but, from some over-sight, there is no mention of the salary for his regular service; but what this was, no commissioner could be ignorant after the letter printed in the Agenda, p. 436, and the decision come to thereupon. The return of January last, now on the table of the Committee, also contains the names of the sub-commissioners, editors, clerks, transcribers, workmen, and other persons who were in the employ of the Board on the 31st December 1833, together with a statement of their salaries, wages or other remuneration. The names are, Sir Francis Palgrave, Mr. Charles Devon, Mr. Frederick Devon, —— Bevans, Mr. J. T. Jowett, Mr. J. Burtt, the Rev. Joseph Hunter, Mr. Francis Lestock Hunter, Sir Harris Nicolas, Mr. Baker, Sir Henry Ellis, Mr. Joseph Stevenson, Mr. Hamilton, Mr. Bond, Mr. Birch, Mr. Charles Roberts, Mr. Thomas Duffus Hardy, Mr. Benjamin Thorpe, Mr. Anewrin Owen, Mr. J. S. Brewer, Mr. William Henry Black, Mr. Walter Nelson, Mr. Henry Charles Hertslet, Mr. Thomas Green, Mr. Benjamin Noakes, Mr. Julius Drescher, Mr. George Smith, William Henry Bennett, Daniel Richardson, Mary Smith, Charles Gay, senior, J. Blaney, W. Hull, H. Barber, R. Hanney, Peter Paul, W. Y. Finley, R. Toovey, C. Gay, junior, A. Gay and R. Martin. With respect to every one of these individuals it will be found that the return contains, as it professes to do, the amount of yearly salary, weekly wages, or the mode and rate of remuneration, except in the case of Sir Henry Ellis, editor of a volume of records supplemental to Doomsday Book. It is stated that sufficient progress had not been made in that work to render it possible to come to any definite arrangement as to the remuneration. Copies of the printed return of December 1833 were, as I stated before, sent to all members of the Board not in Parliament, and the particulars contained in the return of January last have always been accessible to every commissioner, and if they have not been formally and officially communicated, the only reason is that thy have not been called for in that way. Questions have occasionally been put to me at the Board, but more frequently in conversation with individual commissioners, and I recollect no instance in which the reply was not satisfactory. The fact is, that the understanding of the Board being that, with one exception, the salary of no sub-commissioner or editor should exceed 450*l.* a year, and that the services to be performed for such salary should be equivalent at the least to the labour of editing three octavo volumes; and the scale of payment for editorship, both of the octavo and folio volumes, having been fixed, as I have shown in other parts of my examination, no commissioner could be in the dark upon this subject. That an auditor could be in that situation was impossible, unless when perusing the vouchers for quarterly and other payments to sub-commissioners and editors he might choose to shut his eyes. Wherever, however, the principles and rules previously adopted and prescribed by the commissioners did not precisely apply to the new engagement which it was in contemplation to make, the matter has not only invariably been brought before the Board, and its direction

direction been obtained, but a very full entry of what passed has been made upon the minutes of the proceedings. I mention this last point because it never was the usage of the former commissioners thus to record any transactions of this kind. The minute-books from 1800 to 1831 contain no notices of the pecuniary engagements made by the secretary with sub-commissioners, editors or others. In illustration of this difference between the practice of the old and the new Boards, I may mention the course adopted with respect to the new editions of the Welsh Laws and the Anglo-Saxon Laws. First, as to the Welsh Laws, Mr. Parrey, who had been engaged by Mr. Petrie to prepare a new text and a translation of the Welsh Laws, having died before much progress had been made in the work, Mr. Petrie entered into a second engagement. Such engagement was with Mr. Anewrin Owen, and under it the latter was to receive after the rate of 200*l.* per annum, together with his travelling expenses, and on the completion of his task such addition was to be made to this sum as his labour might be thought to require. Under these engagements there was paid to Mr. Parrey the sum of 200*l.*, and in February 1831 there had been paid to Mr. Anewrin Owen the sum of 1,196*l.* 15*s.* 3*d.* Again, as to the Anglo-Saxon Laws. The Rev. William Conybeare, who was appointed by a resolution of the Board a sub-commissioner for settling the text and making a translation of the Anglo-Saxon Laws, (the resolution is silent respecting the mode or amount of remuneration,) not being able to spare time for the task, Mr. Petrie entered into an engagement with the late Mr. Richard Price, by which that gentleman was to receive 500*l.* per annum whilst employed in editing this work. In February 1831 Mr. Price had received the sum of 2,875*l.* It is true that these engagements are mentioned in the annual reports of Mr. Petrie, and such reports having been at some period entered on the minute-books, it is presumed they must have been laid before the Board, but whether they were or not, I do not doubt that the commissioners had in some manner become acquainted with their contents. All that I mean to impress upon the Committee is, that in the minutes of proceedings no trace is discoverable of the Board having been consulted upon such matters, or of the formal approbation of the engagements entered into by Mr. Petrie. I will now show from the minute-books the course taken by the existing Board respecting these two works. At a meeting of the commissioners, which took place at the house of the Speaker, on the 17th May 1834, a report was read of a committee, consisting of the Bishop of Llandaff, Mr. Williams Wynn, Mr. Justice Bosanquet, Mr. Petit, Mr. Hallam, Mr. Allen and Mr. Protheroe, and in pursuance of a recommendation of such committee it was ordered that the prosecution and completion of the new edition of the Anglo-Saxon Laws should be committed to some Anglo-Saxon scholar competent to the task, who should be directly responsible to the Board, and the secretary was authorized to propose to Mr. Benjamin Thorpe to undertake the prosecution and completion of such work for a gross sum of 600*l.*, of which 50*l.* should be advanced quarterly until 400*l.* should have been paid, but the remaining 200*l.* was not to be paid until the completion of the work. In pursuance of a further recommendation of such committee it was, at the same Board, ordered that Mr. Anewrin Owen should for the future prosecute and complete the new edition of the Welsh Laws independently of Mr. Petrie, and that he should receive for the task the sum of 600*l.*, of which 50*l.* should be paid every three months during two years, beginning the 1st of May 1834, and the remainder should be paid when the work was finished at press. Mr. Owen attended the Board, and undertook to prosecute and complete the work upon those terms.

2. I pass next to the topic of apportionment of expense, and the impossibility of forming a judgment upon any one branch of the duties submitted to the Board. The complaint upon this head, like all the others, is, as the Committee is already aware, confined to a single commissioner, and, as far as I can understand it, without foundation. By apportionment of expense must, I apprehend, be intended a plan for the application of the Parliamentary grant, distinguishing what portion of it ought to be allotted to printing, what portion to arranging and calendaring, what portion to cleaning, repairing and binding, &c. But unfortunately the state of the finances of the Commission has hitherto been such as to make any apportionment of this kind idle. During the whole period before the present Commission was issued the money voted by Parliament for the service of the current year had been always anticipated, and went as soon as received towards the liquidation of debts accrued due in preceding years. Further liabilities too had been incurred in respect of the works in progress, to an amount generally equal to two years' present income of the Board. On turning to the return of January last, the Committee will perceive that of the 48,500*l.* received by the present commissioners, a sum of not less than 20,364*l.* 14*s.* 8*d.* has been received for the discharge of the debts and liabilities of their predecessors, from which it is manifest that the average yearly sum that could have been apportioned for the five years that have elapsed since March 1831 would have been very little more than 5,600*l.*; and when there is deducted from that average yearly sum the salaries of the sub-commissioners, secretary, transcribers and clerks, and the weekly wages of the workmen engaged in cleaning and repairing in the different repositories, the bills of the binders, and the cost of parchment and other materials, it is plain that there really has been but a very small annual residue that could have been made the subject of any apportionment. It is, for these reasons, submitted that the want of an apportionment of expense cannot have prevented a commissioner from forming a judgment upon any one branch of the duties submitted to the Board. I ought to add, that no proposal for any such apportionment has ever been brought before the commissioners, nor do I recollect ever to have met with it anywhere until I saw it in the evidence taken before this Committee; it may, however, exist in the mass of documents to which I have elsewhere alluded.

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3. The omission of all calculations or estimates of any proposed works, so that no judgment can be formed upon the economy or extravagance in any one work, pamphlet, book, or anything else published under the orders of the Board. The suggestion to lay before the commissioners every estimate previously to the printing of a pamphlet, for instance Mr. Protheroe's Letter to the Secretary upon the continuation of Sir Francis Palgrave's edition of the Parliamentary Writs, I cannot believe to be serious, and shall pass it over. What is meant by the words "anything else," I do not know. In my remarks I shall consider them as comprehended under the terms "work" or "book." The assertion appears to mean that the commissioners have in the first instance directed the printing of works without any previous inquiry into the costs; and in the next place, that when the works have been completed they have been furnished with no documents from which they could judge whether such works had been executed in an economical or extravagant manner. The Committee has fortunately called for a return, that will probably be thought to render unnecessary an examination of the proceedings of the Board in order to prove the incorrectness of the first part of this assertion. That return is entitled "Copies, extracted from the Minutes of the proceedings of the Record Board, of all orders relative to printing, transcribing and publishing works, with the dates when such orders were made." Now although this return was not prepared with the slightest view to estimates of the cost of works, yet in the first two or three pages it contains notices of such documents having been ordered and furnished. For instance, on the 26th April 1831 the secretary is directed to procure proper estimates of the yearly or other expenses of continuing two works, the Valor Ecclesiasticus of the reign of Henry the 8th, and the Rolls of Parliament. On the 20th May 1831 an order was made that the secretary do procure from Mr. Thomson an estimate of the time and yearly or other expense requisite for completing the compilation and printing of the Abridgment of the Register of Seisins, distinguishing the particular charges for compiling, editing, correcting the press, printing and paper; and also an estimate of the time and yearly or other expense requisite for completing the compilation and transcription of the Abridgment of the Register of the Great Seal, and of recopying and printing the same, and for completing the transcription of the ancient charters and the printing of the same; and that the secretary do desire Mr. Thomson to furnish the Board with a detailed statement of his reasons for recommending the termination of the Abridgment of the Register of the Great Seal in the form hitherto followed in the reign of James the 6th; and also with an estimate of the time and yearly or other expense necessary for completing the Parliamentary Records of Scotland, distinguishing the expense of completing the first volume; and also the expense of cancelling and reprinting the Records of the Parliament of Charles the 1st, and also the expense of compiling and printing the General Index of Matters; and the secretary is also to desire Mr. Thomson to furnish the Board with his opinion as to the subdivision of the index into periods, and the reason of his opinion in detail. On the 17th November 1831 letters were produced from Mr. Bayley (they contained estimates) respecting the Chancery Proceedings, when it was ordered that the 3d volume of the Chancery Proceedings, temp. Elizabeth, should be forthwith completed, and that a selection of the Chancery Proceedings prior to the reign of Elizabeth should be transcribed and got ready for the press. On the 23d June 1832 I see that an order was made that the 3d volume of the Records of the Duchy Court of Lancaster should be completed at press. Respecting the production of estimates nothing is said in this return, but I well recollect that the same were required and were furnished, although it is probable they are not mentioned in the minute-book. In short, not to take up the time of the Committee by going through all the items of that return, I unhesitatingly affirm that no "work" or "book" has been directed to be undertaken or printed without the Board being apprized within a few pounds what would be the expense thereof. The foreign collections for the Fœdera are the only exception that occur to my mind, and these, from their nature, obviously put all previous calculation of price at defiance, although it can be now safely affirmed that the diplomes which monthly come to hand cost very little more than the 4 *d.* per folio payable for transcription. The circumstance that papers of the kind in question are not entered on the minutes by no means warrants the conclusion that the same were not laid before the Board; the usage for 30 years prior to 1831 having been not to record such papers on the proceedings. The second part of the assertion upon which I am now animadverting is not more accurate than the first part. It is indeed true that after the completion of any "work" or "book" no documents have been entered in the minutes of proceedings, enabling the commissioners to form an opinion as to the economy or extravagance with which such work or book has been produced. But documents of this sort not only now exist, but the same have always existed from the period the first works were finished at press (in 1833); and the same have not only been open to the inspection of all the commissioners, but have been examined by several; and if the same have not been examined by all those commissioners who attend the Board, the reason is obvious. Of the cost of completing the works left unfinished by the old Board estimates were made and read at the Board before the same were resumed; and with respect to the new works any inquiry was unnecessary, either as to the folio volumes (of which there are only two, the Close Rolls and the Patent Rolls,) or as to the octavo volumes, as it was notorious that the price for transcription was 4 *d.* per folio, and a scale for the remuneration of editors, not being sub-commissioners, had, as appears from other parts of my evidence, been settled. Under the head of printing and paper, too, it had been ascertained as early as the summer of 1831 that no saving could be effected. At that time the tenders of different printers for the continuation of the old, and the execution of the new works, were laid before Lord Brougham

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No. 5.
Mr. Cooper's Statement to Questions 1435–1480. 1589.

Brougham, the late Lord Dover, and Mr. Bellenden Ker, who took a great deal of pains in considering them. Their conclusion was, that the Board would gain nothing by ceasing to employ Messrs. Eyre & Spottiswoode. I must not forget to mention, that since I have been appointed secretary I have uniformly required these gentlemen to furnish an account of printing (distinguishing cancels and corrections) and of paper for each volume, separate from the binding, &c. To this account, when obtained, I have then subjoined the expense of transcribing and editing, and so have got at the total cost of each volume. It is from these accounts that that portion of the return made in January was taken, which is headed "Costs of some of the principal works published by the present Board, distinguishing what was paid for printing, paper, transcription, compilation and editorship. I will read one of the items in this portion of the return, lest the Committee should still entertain any doubt as to the existence of documents, from which it may be readily learnt whether a work has been executed in an economical or extravagant manner.

	£.	s.	d.	£.	s.	d.
Proceedings and Ordinances of the Privy Council of England, vol. I, 38¾ sheets royal 8vo. (including 6½ sheets cancels), No. 500, with strong ink and extra manner, at 3 *l.* 1 *s.* - -	118	19	–			
Extra for index, small letter, brace matter, extra proofs, corrections and labels - - - - - - - - -	85	2	6			
Used 40 reams of fine wove royal paper, and for proofs and revises, at 32 *s.* - - - - - - - - - -	64	–	–			
				268	1	6
Transcriptions of the text, 1,450 folios - - - - - -				24	3	4
Compilation of the chronological abstract, 2½ sheets, at 3 *l.* 3 *s.* per sheet - - - - - - - - - - - - - -				7	1	8
Index, two sheets, at 4 *l.* 4 *s.* per sheet - - - - - -				8	8	–
Sir Harris Nicolas, for editorship - - - - - - - - -				150	–	–
Total Cost - -				£. 457	14	6

— No. 6. —

No. 6.
Mr. Stevenson's Operations at the Tower.

OUTLINE of Mr. *Stevenson's* Operations at the *Tower*, since the commencement of his Employment there in August 1834.

Volume of transcripts from documents intended for insertion in the Fœdera, containing 317 leaves.

Similar volume for the same purpose, 601 leaves.

Privy Seals, temp. Edw. I., analysis of, on 3,944 slips, each, on an average, consisting of eight lines.

Taxatio Ecclesiastica analyzed, consisting of 430 entries, with reference from each to the corresponding page in the printed volume.

County Placita, analysis of, on 865 slips.

Papal Bulls from Innocent III. to Gregory XI., 177 slips.

Cartæ Antiquæ, abstract of, 750 slips.

Miscellaneous Documents, abstracts of, 2,818 slips.

Chronological Catalogue of the Miscellaneous Documents, printed by Prynne, in vol. ii. and iii. of his Records.

Similar Catalogue of Instruments of the same class in the Fœdera. New edition.

Transcript made of the Office Calendar of the Miscellaneous Documents.

Itinerary of the reign of Edward I., framed from the Rolls and Miscellaneous Documents.

Ancient Correspondence; namely,
- Transcript from the letter-box, &c., 1,382 slips.
- Ditto - from Miscellaneous Documents, 670 slips.
- Ditto - from Cottonian and Harleian MSS., 53 slips.

In the formation of this series a very great number of miscellaneous bundles of records have been examined, the catalogues of the MSS. and charters in the Museum have been consulted, the year to which many of the undated letters refer has been ascertained, and the work is nearly ready for press. It will form about three 8vo. volumes.

Cartæ Antiquæ, three rolls, transcribed for press.

Mr. Stevenson has the assistance of two clerks; namely, Mr. Hamilton, at a salary of 100 *l.*, and Mr. Bond, at 80 *l.* per annum.

— No. 7. —

Appendix (B.)

No. 7.
Receipts, &c. of present and old Boards.

RECEIPTS of the PRESENT RECORD BOARD for the Years 1831 to 1835, inclusive.

	£.	s.	d.
1831	10,500	–	–
1832	10,000	–	–
1833	8,000	–	–
1834	10,000	–	–
1835	10,000	–	–
TOTAL £.	48,500	–	–

RECEIPTS of the OLD RECORD BOARD for the Years 1826 to 1830, inclusive.

No. 1.—BILLS paid to the King's Printers in England for Printing, including Paper and Binding.

	£.	s.	d.
1826	3,236	13	9
1827	3,933	7	4
1828	4,018	10	11
1829	4,301	14	9
1830	5,911	11	1
£.	21,401	17	10

FOR Disbursements to various Persons for Transcribing for the Press, Binding and Securing Records, and for Rent and Insurance.

	£.	s.	d.
1826	4,807	10	3
1827	3,633	11	4
1828	2,433	10	8
1829	3,380	10	10
1830	2,029	17	10
£.	16,285	–	11

No. 2.—BILLS paid to the King's Printer in Scotland.

	£.	s.	d.
1826	2,205	17	11
—	651	7	3
1827	505	7	6
1828	481	5	–
£.	3,843	17	8

No. 3.—MONIES paid at the Treasury upon the Certificates of the Record Commissioners of the Compensation fit and proper to be made to the Secretary, the Sub-commissioners and others employed under the Board.

	£.	s.	d.
1826	4,011	–	11
— Scotland	1,735	10	–
— Scotland	2,361	5	–
1827	4,346	2	–
1828	5,789	7	–
1829	6,624	3	4
1830	6,112	10	–
£.	30,979	18	5

TOTALS.

	£.	s.	d.
No. 1.	21,401	17	10
—	16,285	–	11
No. 2.	3,843	17	8
No. 3.	30,979	18	5
£.	72,510	14	10

— No. 8. —

Appendix (B.)

No. 8. Analysis by Mr. Cooper of Disbursements from 1831 to 1832.

AN ANALYSIS of the RECORD COMMISSION DISBURSEMENTS, from 12th March 1831 to 12th March 1832, made with reference to the Returns to Parliament of December 1833.

	£.	s.	d.
Mr. Palgrave	1,588	3	4
King's printers' bill, England	2,929	13	10
Mr. Caley as Secretary to the late Commission, salary from March 1830 to March 1831	210	–	–
Mr. Richard Price for salary, at 500 *l.* a year, as Editor of the Anglo-Saxon Chronicle and Anglo-Saxon Laws:			
1831: Aug. 29.—One quarter's salary £. 125 – –			
— Nov. 30.—Ditto 125 – –			
1832: Feb. 28.—Ditto 50 – –			
	300	–	–
1831: Dec. 22.—Mr. Thomas Thomson, of Edinburgh, for disbursements, &c., as per account and vouchers	2,912	–	–
— King's printers' bill, Scotland	1,031	14	–
1831: Dec. 28.—Mr. Anewrin Owen, as Editor of the Welsh Laws, in part of salary	50	–	–
Cleaning, repairing and binding the Records in the Augmentation Office, Chapter House, Rolls Chapel and Duchy of Lancaster Office, from March 1831 to March 1832:			
1831: Aug. 27.—Cash paid Mr. Caley on account of expenses on the reparation of the Public Records in the Augmentation Office and other repositories for the current year £. 200 – –			
— Dec. 29.—Cash paid Mr. Caley for bookbinders' bills, from March 1830 to March 1831 87 11 6			
1832: Feb. 6.—Cash paid Mr. Caley on account, for reparation of Records in Augmentation Office and other repositories 100 – –			
	387	11	6
1832: March 2.—Rent of rooms	18	15	–
CLERKS' SALARIES:			
1831: July 16.—Bennet, one quarter's salary £. 14 6 6			
Nov. 2.—Ditto 14 6 6			
1832: Jan. 10.—Ditto 14 6 6			
Feb. 28.—Smith, half year's salary 27 10 –			
	70	9	6
Miscellaneous transcribing, printing, books, deed-boxes for records, stationery, parchment for mending records, postage, porterage, coach-hire, &c., March 1831 to March 1832	363	15	10
Total Amount of Disbursements from March 1831 to March 1832 £.	9,862	3	–

The item of 363 *l.* 15 *s.* 10 *d.* in the Returns to Parliament, closing the account of disbursements for the year beginning March 1831 and ending March 1832, is made up as follows:

March 1831 to March 1832: MISCELLANEOUS TRANSCRIBING.

	£.	s.	d.
1831: Nov. 23.—Chambers, for writing £. 1 14 –			
Dec. 2.—Petitjean, ditto 1 10 –			
	3	4	–
March 1831 to March 1832: PRINTING.			
Aug. 27.—Roworth £. 8 11 –			
Nov. 24.—Ditto 1 17 –			
	10	8	–

Appendix (B.)

No. 8. Analysis by Mr. Cooper of Disbursements from 1831 to 1832.

		£.	s.	d.	£.	s.	d.
	March 1831 to March 1832: Books.						
1831: Aug.	27.—Dulau	1	5	–			
—	27.—Sweet	1	19	–			
—	31.—Mr. Price, for a book, &c.	2	8	6			
Sept.	3.—Sweet, for books	–	12	6			
Nov.	1.—Ditto	1	6	–			
—	23.—Priestley	2	17	–			
—	23.—Sweet	1	9	–			
—	23.—Books, Noms Frodaux	1	–	–			
Dec.	2.—New, for books	–	18	–			
1832: Jan.	5.—Priestley, for books	42	16	6			
Feb.	2.—Ditto	79	19	6			
March	6.—Rodd, for books	2	2	–			
—	13.—Wilson, ditto	6	13	6			
					145	6	6
Nov.	18.—MS. Catalogue of French Archives				12	10	–
	March 1831 to March 1832: Boxes for Records.						
1831: June	10.—Box for letters, &c.	£. 1	17	6			
Aug.	27.—Rackett, for boxes	7	10	–			
1832: Feb.	17.—Rackett, for a box	–	18	6			
					10	6	–
	March 1831 to March 1832: Stationery, Parchment for mending Records.						
1831: Aug.	29.—Dixon, for stationery				10	6	–
	Coach-Hire, Postage, Porterage, Carriage of Parcels and Sundries, not included under other heads.						
		£.	s.	d.			
1831: April	2 to 18	3	9	–			
	April 19 to May 5	3	12	–			
	May 5 to 21	3	4	6			
	May 22 to June 9	3	16	8			
	June 10 to July 1	4	7	7½			
	July 2 to 30	3	9	1			
	August 2 to 23	3	8	–			
	August 24 to 31	4	–	9			
	August 31 to October 14	2	12	11			
	October 14 to November 1	1	3	9			
	November 1 to 8	5	–	11			
	November 11 to 23	7	7	1			
	November 23 to December 5	4	4	4			
	December 5 to 15	7	14	4			
	December 16 to 30	7	2	–½			
	December 31 to January 16, 1832	6	1	3			
1832: January	16 to 27	8	–	6			
	January 28 to February 9	6	5	9			
	February 10 to 21	6	12	–			
	February 23 to March 1	3	15	8			
	March 2 to 12	2	16	5			
					98	4	7
	March 1831 to March 1832:						
Nov. 1831.	—Sundry Disbursements paid by Mr. Cooper in his endeavours during a two months' residence at Paris, to procure catalogues, &c. of the French Archives, and to discover the Stuart Papers, &c., police, copyists, messengers, coach-hire, postage, &c. &c.				50	–	–
Error in carrying forward, discovered by the Treasury Auditors					23	10	9
This sum being on the 12th March 1833, the balance of petty cash in hand not disbursed, credit is given for it in the Account ending the 12th March 1835.							
			£.		363	15	10

Appendix (C.)

RETURNS TO PARLIAMENT RELATIVE TO THE RECORD COMMISSION.

— No. 1. —

A RETURN of the RECEIPTS and DISBURSEMENTS of the RECORD COMMISSION, for the period between the 30th April 1830 and 31st March 1831; also, of all DEBTS and LIABILITIES of the RECORD COMMISSION in March 1831; specifying, as far as can be now done, the Nature and Amount of each, the Parties to whom due, and the Date when contracted.—Presented to The House pursuant to order.

Appendix (C.)
No. 1.
Receipts, &c. of Commissioners, 1830–31.

(1.)—RECEIPTS and DISBURSEMENTS, between April 1830 and March 1831:

	£.	s.	d.
King's Printers' Bill for Printing, and for Monies paid by order of the Commissioners, from April 1829 to February 1830 - - - - - - - - - [The printing comprised in this bill was for a volume of the Parliamentary Writs, begun September 1827, and a volume of the Fœdera, begun November 1825.]	7,941	8	11
Warrant, signed by the Commissioners 25th March 1830, for payments to be made to Mr. Petrie, the Reverend J. Sharpe, Mr. Palgrave, Mr. Holbrook, Mr. Caley, Mr. Thomson and Richard Bull, for services performed between March 1829 and March 1830, amounting to - - - - - - - - - - - - [The above two sums of 7,941*l.* 8*s.* 11*d.* and 6,112*l.* 10*s.* it is presumed were duly paid, no demand ever having been made upon the present Board in respect of the items comprised in such King's Printers' bill, or in respect of any of the services mentioned in such Warrant.]	6,112	10	–
Total Amount of Receipts and Disbursements - - - £.	14,053	18	11

(2.)—DEBTS and LIABILITIES in March 1831; specifying, as far as can be ascertained, the Nature and Amount of each, the Parties to whom due, and the Date when contracted:

	£.	s.	d.
King's Printers' Bill to Christmas 1830, partly for printing and binding, and partly for payments made subsequent to March 1830, by order of the Commissioners -	2,929	13	10
Further bills of the King's Printers, for printing previous to the 12th March 1831 - [The printing of some of the works in this bill commenced in 1827.]	4,539	19	–
King's Printers, for printing vol. 5 of the Inquisitions Post Mortem - - - [The volume was sent to press in April 1829.]	31	1	–
King's Printers, for printing the third volume of Calendars of Chancery Proceedings [The printing of this volume began in April 1830.]	481	3	–
King's Printers, for printing vol. 6 of Valor Ecclesiasticus, and Introduction - - [The printing of this volume was begun in 1827.]	557	15	–
King's Printers, for printing vol. 4 of the Fœdera (an unfinished volume) - - [This volume was sent to press in June 1830.]	49	19	–
King's Printers, for printing vol. 2 of the Parliamentary Writs and Writs of Military Service - - - - - - - - - - - - - - - [The printing commenced some time in the year 1829.]	1,381	7	6
King's Printers, for printing vol. 3 of Calendars of Records in the Duchy of Lancaster - - - - - - - - - - - - - - [The printing of this volume was commenced in December 1827.]	636	19	6
King's Printers, for printing portions of the National Historians - - - - [This work was first sent to press in January 1830.]	1,328	12	6
Thomas Thomson, esq., for salaries, disbursements, &c. at Edinburgh - - [All the items in this Account are prior to April 1st, 1831. Mr. Thomson's salary was in arrear from June 1829.]	2,912	–	–
Remuneration awarded by the report of the Committee of the 27th day of January 1835 to Mr. Robert Pitcairn, writer to the signet, for services performed during several years at the General Register House, Edinburgh, under an arrangement made by the old Board - - - - - - - - - [This liability, arising out of an engagement which appeared to have been sanctioned by the former Commissioners, has not yet been satisfied.]	700	–	–

(*continued*)

Appendix (C.)

No. 1.
Receipts, &c. of Commissioners, 1830–31.

	£.	s.	d.
Messrs. Roworth & Son, for printing Papers relative to Mr. Pitcairn's case	31	5	6
Francis Palgrave, Esq., for transcription and editorship of the Parliamentary Writs, vol. 2	2,891	2	10
[The volume in respect of which this expense was incurred was sent to press in 1829, and completed by the present Board in 1834.]			
Henry Petrie, esq., for expenses incurred in respect of the unfinished volumes of the National Historians. The late Mr. Richard Price and Mr. Aneurin Owen, for expenses and trouble in editing the same work	1,260	11	10
[It has been already stated that these volumes were sent to press in January 1830. The present Board, for reasons which it is not requisite here to mention, some time since suspended the further prosecution of the work.]			
The late John Caley, esq., for arrears of his salary, as secretary to the former Board, for editorship of the Valor Ecclesiasticus under the former Board, and for expenses in repairing and binding the Records, and for superintending that work, partly under the former and partly under the present Board	3,192	9	5
[The operations of repairing and binding (principally at the Augmentation Office, of which Mr. Caley was keeper,) which were carried on under Mr. Caley's directions, together with his own employment, are so intimately connected with engagements, express or implied, of the old Commission, that it is to that the whole of this debt has invariably been ascribed. Upon Mr. Caley's death, no person was appointed in his place, and most important changes were made in the system under which the operations of repairing and binding had been previously carried on.]			
Mr. Cox, for Index to Records at Augmentation Office	105	–	–
[This Index was compiled under an order given by Mr. Caley, as secretary to the late Commission.]			
Mr. Palmer, for Calendar of Inquisitions Post Mortem, at the Rolls Chapel	177	–	–
[This Index was compiled prior to March 1831.]			
Mr. Frederick Devon, for Index to an unfinished volume of the Fœdera	31	10	–
[Compiled prior to March 1831.]			
F. Holbrooke, esq., for his services as Sub-Commissioner, from 25 March 1830 to 25 March 1831	300	–	–
[Mr. Holbrooke was employed upon the Fœdera.]			
Mr. Hodgson, for Transcripts	20	–	–
[The Secretary is unable to give any information respecting this sum.]			
The late Mr. Minchin and Mr. William Hardy, for compilation and editorship of the 3d volume of Calendars of Records in the Duchy of Lancaster Office	720	5	11
[The volume was begun in 1827, as before mentioned.]			
The late Mr. Robert Lemon, for transcribing and collating Documents	42	15	4
[These documents were intended by the late Board for the new edition of the Fœdera; they were copied prior to March 1831.]			
The late Mr. Robert Lemon, for Indexes to the 6th volume of the Valor Ecclesiasticus	373	16	–
[This work was done prior to the date of the existing Commission.]			
Mr. Bayley, late of the Record Office at the Tower, for editing volume 3 of the Chancery Proceedings in the time of Queen Elizabeth	150	–	–
[The printing of this volume began in 1830.]			
Mr. Leaver and Mr. Williams, for copying proceedings of Mr. Bayley's Committee	29	13	–
[The proceedings of this Committee exclusively related to the work mentioned in the last item. The volume was completed, and the work discontinued.]			
Messrs. Roworth, for printing various Reports and Papers relative to the Parliamentary Writs and Calendars of Proceedings in Chancery in the time of Queen Elizabeth	145	8	–
[The last volume of the Parliamentary Writs went to press in 1829. The present Board, after much investigation, came to the determination not to prosecute the work. It will appear, from preceding remarks, that the Calendars of Proceedings in Chancery was a work of the old Commission.]			
[A large additional sum has been paid for transcribing different bills, memorials, letters, reports, and other papers concerning the Parliamentary Writs, the Chancery Proceedings of Queen Elizabeth, and Mr. Pitcairn's case, the amount of which cannot be specified.]			
The whole of the preceding items are comprised in the recent Return made to Parliament under the head of "Debts and Liabilities." The ensuing item, although inserted in the former Return printed December 1833, has by inadvertence been omitted in the last Return.			

	£. s. d.	£. s. d.
King's Printer's Bill, *Scotland*, to Christmas 1830:		
1829: Dec. 5.—Printing Abridgment of the Register of Seisins, under the authority of the Record Commissioners, 186 sheets, small pica, folio, with corrections and extra proofs, 26 copies, fine medium	492 4 6	
1830: Dec. 31.—Printing Abridgment of the Register of Seisins, under the authority of the Record Commissioners, 208 sheets, small pica, folio, with corrections and extra proofs, 26 copies, fine medium	539 9 6	
		1,031 14 –
	£.	26,051 2 2

TOTAL of the DEBTS and LIABILITIES of the former Commission, including such last mentioned sum of 1,031*l.* 14*s.* - - - £. 26,051. 2. 2.

New Boswell-court,
11 February 1836.

C. P. Cooper,
Sec. Com. Pub. Rec.

— No. 2. —

RECEIPTS, EXPENSES AND PROCEEDINGS OF THE COMMISSIONERS.

— Nos. 1 & 2. —

AN ACCOUNT of the SUMS OF MONIES Received by the COMMISSIONERS OF PUBLIC RECORDS, from the Date of the present Commission, being the 12th March 1831, to the 1st August 1833, and of the manner in which such Monies have been Expended.—Ordered by The House of Commons to be printed, 14 February 1834.

(1.)—RECEIPTS:	£. s. d.
1831: Aug. 8.—Cash received from Messrs. Payne & Foss, for books sold by them -	109 15 –
26.—Cash received from the Lords of the Treasury, being the Parliamentary Grant for the year March 1831 to March 1832 - - - -	10,500 – –
30.—Cash received from Messrs. Longman & Co., for Books sold by them -	15 17 1
1832: Mar. 30.—Cash received from the Lords of the Treasury, being the Parliamentary Grant for the year March 1832 to March 1833 - - - -	10,000 – –
Cash received from Messrs. Payne & Foss, for Books sold by them -	96 2 –
Nov. 16.—Cash received from Messrs. Baldwin & Co., for Books sold by them -	800 17 –
£.	21,522 11 1

(2.)—DISBURSEMENTS:	£. s. d.	£. s. d.
Mr. Palgrave, Editor of the Rolls of Parliament:—		
Mar. 1831 to Mar. 1832. 1831, March 25, one year's salary, due this day - -	£. s. d. 500 – –	
Calendar of Writs of Election and Returns, Edward 2d, 145 sheets, at 2*l.* 12*s.* 6*d.* per sheet - - -	380 12 6	
Completion of Digest of Persons, Edward 2d; Digests of Places and Principal Matters, Edward 1st & 2d, 250 sheets, at 3*l.* - - - - - - - -	750 – –	
Corrections of 77 sheets of Digest, 103 to 14, at 1*l.* 1*s.*	80 17 –	
N. B.—The corrections of the preceding sheets have been paid to Mr. Palgrave by His Majesty's Printers, upon the orders of Mr. Caley.		

(*continued*)

Appendix (C.)

No. 2. Receipts, &c. of Commissioners, 1831–33.

		£.	s.	d.	£.	s.	d.	£.	s.	d.
	Disbursements; viz.									
Mar. 1831 to Mar. 1832.	One year's salary, Henry Cole, writing clerk -	125	–	–						
	Ditto, William Matchwick, ditto - - -	34	–	–						
	Mr. Foxton, jun., of the Remembrancer's Office, for transcript of Exchequer records - -	6	9	4						
	Stationery, as per bills - - - - -	10	3	6						
	Luxmore, messenger at the Tower - -	1	1	–						
					176	13	10			
					£.					
					1,888	3	4			
	Deduct imprest received 1830 - - - -				300	–	–			
								1,588	3	4
	[This bill was incurred under the arrangement made by the old Commission.]									
	King's Printer's Bill, to Christmas 1830:									
	Calendars of the proceedings in Chancery in the reign of Queen Elizabeth; to which are prefixed examples of earlier proceedings in that court, namely, from the reign of Richard the 2d to that of Richard the 3d inclusive, from the originals in the Tower; vol. ii., 157 sheets folio, including cancels, No. 1,000, with strong ink and extra manner, a' 4 *l.* 2 *s.*	£. 643	s. 14	d. –						
	Very many alterations and corrections, and deleted matter in the proofs and revises -	143	16	–						
	Used for this volume 316 reams of fine wove demy paper, and for proofs and revises, including interest and insurance, a' 29 *s.* 6 *d.*	466	2	–						
	Working in various inscriptions on the title-page - - - - - - - - -	6	15	–						
	Binding 250 copies of this volume in Basil, broad bands, filletted and double lettered, a' 8 *s.* 9 *d.* - - - - - - - -	109	7	6						
	Tying up the 1,000 copies in brown paper, and porterage, a' 3 *d.* - - - - -	12	10	–						
					1,382	4	6			
	For packing-cases, carriage and postage -	45	19	5						
	For various bindings of the public records, for special purposes - - - - - -	61	5	–						
					107	4	5			
1830:	Paid, by Order of the Commissioners; viz.									
Mar. 27.—	Paid to Robert Lemon on account of collating and transcribing documents for Rymer's Fœdera - - - - - -				79	12	8			
	Interest on ditto to March 31st, 1831, 12 months - - - - - - -				3	19	8			
April 8.—	To John Bayley, on account of correcting proof sheets and compiling indexes to proceedings in Chancery; vol. ii. -	£. 164	s. 7	d. 6						
– 24.—	To Thomas Cadell, one year's warehouse-rent to Christmas 1829 - - - - -	63	–	–						
– 26.—	To W. Minchin, on account of compiling calendars and indexes of pleadings - - -	91	10	–						
– 27.—	To Charles Gay, on account of repairing and binding public records - - - - -	150	–	–						
					468	17	6			
	Interest on ditto, 11 months - - -				21	9	9			
May 26.—	To John Bayley, on account of collating and transcribing Records for Rymer's Fœdera -	85	13	–						
	To ditto, on account of the 3d volume of Proceedings in Chancery - - - - -	127	19	–						
					213	12	–			
	Interest on ditto, 10 months - - -				8	18	–			
July 9.—	Paid insurance of 20,000 *l.* on record books, to Midsummer 1831 - - - - - -	55	–	–						

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Appendix (C.)

No. 2.
Receipts, &c. of Commissioners, 1131–33.

	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1830:				
July 19.—To W. Minchin, on account of compiling calendars and indexes of pleadings - -	104 12 –			
– 20.—To Charles Gay, on account of repairing and binding public records - - - - -	150 – –			
– 21.—To John Bayley, on account of collating and transcribing records for Rymer's Fœdera -	100 – –			
		409 12 –		
Interest on ditto, 8 months - - -		13 13 1		
Aug. 14.—To John Bayley, on account of collating and transcribing records for Rymer's Fœdera		122 8 6		
Interest on ditto, seven months - - -		3 11 5		
Oct. 23.—To Charles Gay, on account of repairing and binding public records - - - - -	150 – –			
– 26.—To John Bayley, on account of the third volume of Proceedings in Chancery - - -	246 16 6			
		396 16 6		
Interest on ditto, five months - - -		8 5 4		
Nov. 1.—To W. Minchin, on account of compiling calendars and indexes of pleadings - -	97 17 6			
To Francis Palgrave, on account of correcting proof sheets of Parliamentary writs - -	134 8 –			
		232 5 6		
Interest on ditto, four months - - -		3 17 5		
Dec. 3.—To H. W. Walker, for copying Returns to Parliament -	10 3 6			
To Charles Gay, for assistance in preparing Returns to Parliament - - - - -	27 3 –			
– 20.—To ditto, on account of repairing and binding public records	100 – –			
		137 6 6		
Interest on ditto, three months - - -		1 14 4		
			2,126 – 2	
Interest on 1,949 *l.* 15 *s.* 6 *d.*, the money advanced in the former Account, from April 30th to August 17th, 1830, when the money was paid, say three months - - -			24 7 6	
			3,639 16 7	
Deduct paid on account - - - - - -			710 2 9	
				2,929 13 10
[The whole of this Bill is in respect of work done under the former Commission.]				
Mr. Caley, as secretary to the late commission - - - - -				210 – –
Mr. Richard Price, in part of salary (500 *l.* a year) as editor of the Anglo-Saxon Chronicle and Anglo-Saxon Laws - - - - - -				300 – –
[This arrangement was made by the former Board.]				
Mr. Thomas Thomson, of Edinburgh, for Abridgment of Register of Seisins, 13 persons employed - - -			£. s. d. 1,300 – –	
Register of Royal Charters - - - - - - -			400 – –	
Transcripts of Parliamentary Records and Royal Charters, &c. - - - - - - - - - -			675 – –	
Balance of account last year - - - - - -			37 – –	
In arrear of Mr. Thomson's salary, from June 1829 to April 1st, 1831 - - - - - - - - -			500 – –	
				2,912 – –
[The whole a debt due from the old Commission.]				
King's Printer's Bill, *Scotland*, to Christmas 1830:				
1829:				
Dec. 5.—Printing Abridgment of the Register of Seisins, under the authority of the Record Commissioners, 186 sheets, small pica, folio, with corrections and extra proofs, 26 copies, fine medium - - - - - - - - -			492 4 6	

Appendix (C.)

No. 2.
Receipts, &c. of Commissioners, 1831–33.

		£.	s.	d.	£.	s.	d.
1830: Dec. 31.	Printing Abridgment of the Register of Seisins, under the authority of the Record Commissioners, 208 sheets, small pica, folio, with corrections and extra proofs, 26 copies, fine medium	539	9	6			
					1,031	14	–
	[The whole of this sum was due from the old Commission.]						
	Mr. Aneurin Owen, as editor of the Laws of Howell Dhu and the Welsh Chronicles, in part of salary (250 *l.* a year)				50	–	–
	[This arrangement made by the old Board.]						
	Cleaning, repairing and binding of the Records in the Augmentation Office, Chapter-house, Rolls' Chapel, and Duchy of Lancaster Office				387	11	6
	Rent of rooms				18	15	–
	Clerks' salaries				70	9	6
	Miscellaneous transcribing, printing, books, deed boxes for Records, stationery, parchment for mending Records, postage, porterage, coach-hire, &c., March 1831 to March 1832				363	15	10
Mar. 1832 to Mar. 1833.	Mr. Palmer, Calendar of the Inquisitions Post Mortem at the Rolls Chapel				177	–	–
	[A debt of the old Commission.]						
	Mr. Price, editor of the Anglo-Saxon Laws, &c. travelling expenses				40	13	10
	[A debt of the old Commission.]						
	Ditto, his salary				575	–	–

KING'S PRINTER'S BILL, previous to March 12th, 1831:

		£.	s.	d.	£.	s.	d.
Begun Dec. 1827.–	Warehouse rent to Christmas				63	–	–
	Calendar of Pleadings in the Duchy of Lancaster, vol. iii. in part, 69 sheets, folio, No. 1,000, with strong ink and extra manner, a' 4 *l.* 7 *s.* 6 *d.*	301	17	6			
	Corrections	9	16	–			
	Used for this volume 138 reams of fine wove demy paper, a' 27 *s.*	186	6	–			
					497	19	6
Begun 1827.–	Valor Ecclesiasticus, vol. vi. in part, containing Supplement and Index, 41 sheets, folio, No. 1,000, with strong ink and extra manner, at 3 *l.* 13 *s.*	149	13	–			
	Numerous corrections in the proofs and revises	33	17	–			
	Used for this volume 82 reams of fine wove demy paper, 26 *s.*	106	12	–			
					290	2	–
Begun May 1830.–	Calendar of the Proceedings in Chancery, vol. iii. in part, 52 sheets, folio, No. 1,000, with strong ink and extra manner, a' 4 *l.* 2 *s.*	213	4	–			
	Numerous alterations and corrections in the proofs and revises	43	2	–			
	Used for this volume 104 reams of fine wove demy paper, a' 26 *s.*	135	4	–			
					391	10	–
Begun June 1830.–	Fœdera Conventiones, &c., vol. iv. in part, 38 sheets, folio, small letter, No. 500, with the finest ink and extra manner, a' 4 *l.* 7 *s.* 6 *d.*	166	5	–			
	Many corrections in the proofs and revises	14	14	–			
	Used for this volume 38 reams of fine thick wove demy paper, a' 40 *s.* 6 *d.*	76	19	–			
					257	18	–

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Appendix (C.)

No. 2.
Receipts, &c. of Commissioners, 1831–33.

	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Begun 1829.—The Parliamentary Writs and Writs of Military Service, vol. ii. in part, 226 sheets, folio, No. 750, with strong ink and extra manner, viz. 30 sheets, a' 4 *l.* 8 *s.*	132 – –			
One hundred and ninety-six sheets of Alphabetical Digest, a' 6 *l.* 16 *s.* 6 *d.*	1,337 14 –			
Innumerable alterations and corrections in the proofs and revises, and deleted matter	333 10 –			
Forms for making Entries to facilitate the compilation of the Digest	45 9 6			
Used for this volume 339 reams of fine wove demy paper, a' 27 *s.*	461 14 –			
Used two reams of foolscap, a' 22 *s.* 6 *d.*	2 5 –			
		2,312 12 6		
Begun Jan. 1830.—The National Historians, vol. i. in part, 114 sheets, folio, No. 750, with fine ink and extra manner, a' 2 *l.* 19 *s.* 6 *d.*	339 3 –			
Extra for Saxon and references	16 14 –			
Innumerable alterations and corrections in the many proofs and revises	191 9 –			
Used for this volume 171 reams of fine wove crown paper, a' 21 *s.*	179 11 –			
		726 17 –		
			4,539 19 –	
Paid on account of this sum of 4,539 *l.* 19 *s.* [The whole of this sum due from the old Commission.]				4,250 – –
Mr. Caley, balance of his salary of 325 *l.* per annum, as Secretary to the former Board				262 10 –
Messrs. Roworth, for printing the Account of the Public Records, 2 vols. 8vo.: the Proposal for a Record Office, 8vo.: the Observations on the Calendars of Chancery Proceedings, &c.				413 – 8
Mr. Robert Lemon, for transcribing and collating Documents for the new Edition of Rymer's Fœdera [A debt of the former Commission.]				42 15 4
Mr. Palgrave, Editor of the Rolls of Parliament, one year's salary			£. 500 – –	
Correcting 45 sheets			47 5 –	
Text of Parliamentary Writs, 200 sheets			410 – –	
Chronological Abstract, 55 sheets			165 – –	
Mr. Cole, one year's salary			125 – –	
Mr. Matchwick, the like			36 12 6	
Stationery, &c.			19 2 3	
[This bill also incurred under the old arrangement.]				1,302 19 9
Cleaning, repairing and binding Records in the Augmentation Office, Chapter House, Duchy of Lancaster Office and Rolls Chapel				578 7 9
Mr. Holbrook, as Sub-Commissioner, on the New Edition of the Fœdera, one year's salary, due March 1831 [A debt of the old Commission.]				300 – –
Balance due to the late Mr. Minchin, as editor of the Calendar of Records in the Duchy of Lancaster Office [A debt of the old Commission.]				182 5 3
Mr. Bayley, as editor of the Calendar of Chancery Proceedings in the reign of Queen Elizabeth [A debt of the old Commission.]				150 – –
Mr. Webster, arranging of the Returns made from the Record Offices in England and Wales, to the Circular Questions of the Board, 70				105 –
Mr. Thomas Duffus Hardy, Mr. Cole, Mr. Drescher and others, for editing and transcribing the Close Rolls, on account				525 6 8
Books for the library formed for the use of the editors, sub-editors, clerks and other persons in the employ of the Board				497 6 –

[The few books that belonged to the old Commissioners were kept in the Speaker's Gallery, and were inaccessible to those for whose accommodation they had been purchased. The present library is in Boswell-court, where the general business of the Board is carried on; and the library is open from 9 o'clock in the morning until 10 at night, and often to a later hour; but the

(*continued*)

Appendix (C.)

No. 2. Receipts, &c. of Commissioners, 1831–33.

	£.	s.	d.
gentlemen engaged in editing the works are allowed the use of any volumes they may want at their own houses, a liberty of which most of them avail themselves. Of many expensive volumes in constant requisition, it has been found necessary to purchase several copies, as L'Art de Verifier les Dates; Lewis's Topographical Dictionary; the quarto edition of Madox's History and Antiquities of the Exchequer, &c. &c. Some books are only wanted for temporary purposes, and when done with, will be exchanged for others, with the exception of those (principally German works,) of which no copies are to be found in the library of the British Museum, and which it is proposed should be presented to that institution.]			
Mr. Charles Devon, for transcribing the Chancellor's Roll, Early Fines, and other Records, on account	150	–	–
Mr. Drescher, half a year's salary	40	–	–
Mr. Henry Cole, for transcribing ancient Foreign Letters in the Tower	20	–	–
Mr. William Hardy, for transcripts of the 3d volume of the Calendars of the Duchy of Lancaster Records	14	4	6
Mr. Charles Panton, cleaning, sorting and repairing the Pipe Rolls, Somerset-house	45	13	9
Mr. Baker, transcripts for the Acts of the Privy Council	38	1	6
Catalogue of Ancient Documents, &c. in the French archives	21	–	–
Mr. Henry Cole, one month's salary (150 *l.* a year)	12	10	–
Messrs. Hodgson, Leaver, Williams, Bannister, Bacon, Maddon and Hardy, for various transcripts, copies and miscellaneous work and assistance	186	17	7
Messrs. Koch, Lappenberg, Warnkœnig and Royer Collard, for various transcripts of Historical Documents in the archives and libraries of Switzerland, Germany, Belgium and France. (These transcripts are, for the most part, intended as a Supplement to Rymer's Fœdera.)	178	18	3
Mr. Smith, for keeping the accounts, paying the workmen, &c.; his salary for a year and a quarter	68	15	–
Mr. Bennett, clerk, his salary for 12 months	57	6	–
Rent of rooms for a year	70	–	–
Laundress, nine months' wages	15	–	–
Dr. Bandinell, for Report of the uncatalogued Manuscripts and Documents in the Bodleian Library, that may be useful for the new edition of the Fœdera, on account	50	–	–
Secretary, his salary for a year and a half	750	–	–
Miscellaneous transcribing and copying, bags for Records, baskets for ditto, desks and stools for clerks, parchment for mending Records, stationery, postage, porterage, coach-hire, &c.	608	13	2
£.	21,591	15	4

It will be seen by a comparison of the receipts with the disbursements, that the latter, on the 12th March 1833, had exceeded the former by the sum of 69 *l.* 4 *s.* 3 *d.*, which was therefore due to the Board. No money was received, either from the Treasury or the sale of books, between the 12th March and the 1st August last. The accounts of the disbursements not having been made up subsequently to the 12th March, no Return of the same between that period and the 1st August can be conveniently given at the present moment.

— No. 3. —

NAMES of the Sub-Commissioners and other persons now engaged in Editing and Compiling the different Works printed and undertaken under the Superintendence of the Record Board; also, of the Persons employed in Cleaning, Repairing and Sorting the Records, and as Clerks, Copyists, &c.; with a Statement of the particular Works upon which they are engaged, and of their Salaries, Wages or other Remuneration.

Sir Francis Palgrave, Editor of the Parliamentary Writs, Rolls of the Curia Regis, &c. &c. A Sub-Commissioner. Salary, 1,000 *l.* per annum.

[Under the old Commission, Sir Francis Palgrave's emoluments were much more considerable. It is proper to state, that in case of this gentleman succeeding to the situation of Keeper of Records, it is understood that the emoluments of such place will go in reduction of his salary under the Board.]

Clerks to Sir Francis Palgrave:

	£.
William Matchwick, yearly salary	63
George Aungier	63
John Thomas Jowett	63
Joseph Brett	30
Henry Williams	30

Mr. Caley,

Mr. Caley, Superintendent of the cleaning, sorting, and repairing of the Records in the Augmentation Office, Chapter House, Rolls Chapel and Duchy of Lancaster Office. Salary 500 *l.* per annum. For several months past this gentleman has been unable to perform this duty, which has been discharged by the Secretary. Mr. Caley's great age renders it improbable he will ever again be able to discharge this duty. He has been in the employ of the Board more than 30 years.

Mr. Petrie, (Keeper of Records in the Tower of London,) Principal Editor of the Materials for the History of Britain. No remuneration.

Mr. Aneurin Owen, Editor of the Laws of Howell Dhu and the Welsh Chronicles, being part of the last-mentioned work. Salary 250 *l.* a year; but which will be discontinued in March next.

The Rev. Joseph Hunter, Editor of the Series of Pipe Rolls, &c. &c. A Sub-Commissioner. Salary 300 *l.* per annum *.

Mr. Charles Panton, (of the late Pipe Office,) Transcriber of the Pipe Rolls, at the rate of 4 *d.* per folio of 72 words.

Mr. Thomas Duffus Hardy, (Record Office, Tower of London.) He is principally engaged in editing the Close Rolls, of which one volume has been published. He receives two guineas per sheet for passing this work through the press. The transcript is paid at 4 *d.* a folio, being the rate actually paid to the copyist.

Mr. William Kingston. He is employed as a clerk, under Mr. Hardy's superintendence, f r various miscellaneous business of the Board. Salary 60 *l.* per annum.

Sir Harris Nicolas, Editor of the Acts of the Privy Council. He receives 150 *l.* per octavo volume. Each volume has a short preface, and the text is occasionally elucidated by notes. Three volumes have been printed.

Mr. Baker. He transcribes the above work for the press, at the rate of 4 *d.* per folio. He also compiles the Indexes, for which he will receive 4 *l.* 4 *s.* per sheet.

Mr. Charles Roberts, (Record Office, Tower,) Compiler and Editor of the Calendarium Hæredum, designed to supply the deficiencies of the five volumes of the Inquisitions Post Mortem. He will receive two guineas and a half per sheet (large folio, with three columns in each page) for compiling from the original Inquisitions, and two guineas per sheet for Editorship.

Sir Henry Ellis, (Principal Librarian of the British Museum,) Editor of a volume of Records, supplemental to Domesday Book, consisting of Territorial Surveys to the time of King John; also of a Territorial Survey of Lands in Wales, of the time of King Edward the Third. Sufficient progress has not yet been made in these works, to render it possible to come to any definite arrangement as to the rate of remuneration.

Mr. William Hardy, (Duchy of Lancaster Office,) Compiler and Editor of the third volume of the Calendar of certain Records in the Duchy of Lancaster Office, of the Reign of Queen Elizabeth. He will receive for this work 4 *l.* 4 *s.* per sheet (large folio) for compiling, and 1 *l.* 1 *s.* per sheet for passing through the press.

Mr. Charles Devon, (Record Office, Chapter House, Westminster.) He has been employed in various works, but from peculiar circumstances, no remuneration has been given him except as a transcriber of the Chancellor's Roll, Early Fines, &c. at the rate of 4 *d.* per folio.

Mr. Frederick Devon, (Record Office, Chapter House.) He receives a trifling sum for extra attendance at the Chapter House, in order to facilitate certain works in progress there.

Mr. Joseph Stevenson, (MS. Department, British Museum.) He is engaged, under the direction of the Secretary, in making a Calendar of the Documents transcribed some years since for the New Edition of Rymer's Fœdera. No final arrangement has been made as to his emolument.

Mr. Julius Drescher. Salary 80 *l.* per annum. Mr. Edward Augustus Bond. Salary 80 *l.* per annum. These two gentlemen are engaged in certain works, to which the Secretary gives his voluntary and gratuitous labour and superintendence. At the present moment Mr. Bond is employed in copying the valuable but long-neglected Collectanea of Rymer, in the British Museum.

Mr. Henry Cole, under the Secretary's superintendence, has the direction of the important work of cleaning, repairing and sorting the Miscellaneous Records of the King's Remembrancer's Office, and the whole of which, under a recent Warrant of the Treasury, have been transferred to the temporary custody of the Board. For some time past, too, Mr. Cole has had the direction of the work of cleaning, repairing, and sorting the Records in the Augmentation Office and Chapter House. Mr. Cole, out of the office hours, which are from nine to four o'clock, has other occasional employment, for which he is remunerated according to the nature of the work.

The Names and the Emoluments of the different Persons employed in the departments of cleaning, repairing and sorting, are as follows:

Mr. John Trickey, (Bag Bearer of the King's Remembrancer's Office,) salary 150 *l.* a year.
Richard Downer Bond, salary 60 *l.* per annum.

		£.	*s.*	*d.*
Peter Paul	per week	1	5	–
Henry Barber	—	1	5	–
Job Barber	—	1	1	–
Josiah Blainey	—	1	1	–
Richard Martin	—	1	5	–
Charles Gay	—	2	2	–
Henry Gay	—	1	5	–
James Barber	—	1	5	–
Robert Hanney	—	1	5	–

* Sir Thomas Phillipps, Bart. is Honorary Editor of the Pipe Rolls of the Reign of Henry II.

Appendix (C.)

No. 2.
Receipts, &c. of Commissioners, 1831–33.

Mr. George Smith. He pays the wages of the persons in the weekly employ of the Board, the tradesmen's bills, &c. &c.; he also keeps the accounts, &c. For this trouble he is allowed the yearly sum of 55 *l.*

William Henry Bennett. His time is wholly occupied in fair copying, &c.; the letters written or dictated by the Secretary have averaged one thousand yearly. He receives 1 *l.* 5 *s.* a week.

John Catling, Porter and Messenger. Wages, 1 *l.* per week.

Mary Smith, Laundress, 20*l.* a year.

There are some other gentlemen engaged in works proceeding under the order of the Board, but their relations with the Board will be of such brief duration, that it has not been thought proper to introduce their names into the foregoing list. Dr. Bandinell is an example.

— No. 4. —

LIST of the PRINCIPAL WORKS Printed, Compiled and Transcribed under the Direction of the RECORD BOARD, since March 1831, and also of those now in Progress.

A GENERAL Introduction to Domesday Book, accompanied by Indexes of the Tenants in Chief and Undertenants at the time of the Survey, as well as of the Holders of Land mentioned in Domesday, anterior to the formation of that Record; with an Abstract of the Population of England at the close of the Reign of William the Conqueror; 2 vols. 8vo. (published.)

Third Volume of the Calendars to the Proceedings in Chancery in the Reign of Queen Elizabeth; folio, (published.)

Rotuli Litterarum Clausarum in Turri Londinensi, asservati ab Anno 1204 ad Annum 1224 folio, (vol. i. published, vol. ii. printing.)

The Chancellor's Roll, or Antigraph of the Great Roll of the Pipe of the Third Year of King John, preserved in the Chapter House, Westminster; 8vo. (published.)

Rotulus Magnus Pipæ de Anno Tricesimo Primo Regis Henrici Primi, commonly called the Roll of Stephen; 8vo. (published.)

Sir Francis Palgrave's Essay on the Origin of Equitable Jurisdiction, as deduced from the Ancient Transactions of the High Court of Parliament; 8vo (published.)

An Account of the most important Records of Great Britain, and the Publications of the Record Commissioners; together with other Miscellaneous, Historical and Antiquarian Information; 2 vols. 8vo. (published.) This Work has for some time been out of print.

Appendix and General Index to the Valor Ecclesiasticus, temp. Henry 8th; folio. This forms the 6th and concluding volume of the Work. (The whole of the volume is printed; it will be published in a few days.)

Third volume of the Calendar to the Records of the Duchy of Lancaster in the Reign of Queen Elizabeth; folio (the printing nearly finished.)

Division 3 of vol. ii. of the Parliamentary Writs, &c. in the Reign of Edward 2d; folio (the printing nearly complete.)

Magnus Rotulus Pipæ de Anno Secundo Regis Henrici Secundi; 8vo. (printing.)

Magnus Rotulus Pipæ de Anno Primo Regis Ricardi Primi; 8vo. (printing.)

A volume of Records, supplemental to Domesday Book, consisting of Territorial Surveys to the time of King John; folio, (preparing for the press.)

A Territorial Survey of Lands in Wales, to the time of King Edward 3d; folio, (preparing for the press.)

Memoranda de Traditione Magni Sigilli Angliæ Rotulis Cancellariæ Excerpta; 8vo. (transcribed for the press.)

The Acts of the Privy Council in the Reigns of Richard 2d and Henry 4th, Henry 5th and Henry 6th; 3 vols. 8vo. (printed, and will shortly be published.)

Modus Tenendi Parliamentum; 8vo. (published.)

Rotuli Curiæ ac Justiciariorum Regis of the Reigns of Richard 1st and John, preserved at the Chapter House; 8vo. (printing.)

Fines of the Reigns of Richard 1st and John; 8vo. (The whole transcribed for the press; the printing of those of the Reign of Richard commenced.)

A volume of Miscellaneous Records selected from the Chapter House. Contents:—Rotulus Litterarum Patentium de Anno Regni Regis Johanis Septimo; Transcripta Litterarum Patentium Hiberni Temporibus Regum Henrici Quinti et Sexti; Placita (Anno 52 Regis Henrici Tertii) de Terris datis et occupatis Occasione Turbacionis in Regno Angliæ; 8vo. (printed, and will shortly be published.)

Appendix to the volume of Nona Rolls, (transcribed for the press.)

Petitions in Chancery in the Reigns of Edward 3d, Richard 2d, Henry 4th, Henry 5th, Henry 6th and Edward 4th, (transcribed for the press.)

Office Calendar of the whole of the Rolls of the Reign of John now remaining at the Tower, (the transcript nearly finished.)

Office Calendar of the Miscellaneous Records at the Tower, (transcribing.)

Manuscripts containing a Series of Docquets of all Commissions, Grants of Honours, Pardons, and other Patents of Charles 1st, while he was at Oxford, from 28th November 1642 to the 11th June 1646. This Manuscript is amongst the collections of Sir William Dugdale, in the Library of the Ashmolean Museum, Oxford; 8vo. (transcribed for the press.)

Ancient Historical Records and Documents in the possession of the Corporation of Salisbury, (transcribing.)

Catalogue of the inedited Manuscripts and Papers illustrative of the General and Local History of the Country, preserved in the Bodleian Library at Oxford, and not described in any printed work, (compiling.)

Appendix to the four volumes of the Inquisitions Post Mortem, preserved at the Tower. (This is the Calendarium Hæredum. Considerable progress has been made in this compilation; no part is yet printed.)

A Proposal for the Erection of a General Record Office, Judges' Hall and Chambers, and other Buildings, on the Site of the Rolls Estate; 8vo. (published.)

Questions circulated under the authority of His Majesty's Commissioners on the Public Records of the Kingdom, with the view of procuring Information respecting Records, Manuscripts, &c. in the possession of Corporations and Individuals, illustrative of History and Antiquities of England and Ireland, the Isle of Man, and the Norman Isles; folio, pp. 26.

Catalogue of Documents from the year 790 to the Close of the 15th Century, preserved in the Archives of France, Hotel Soubise, Paris; List of Manuscripts and Documents connected with British History and Literature, in the Libraries and Archives of Germany, Switzerland, &c.; 8vo. (Printed. These will form the Appendix to the Secretary's Report on the plan to be adopted in the continuation of the new edition of the Fœdera.)

Foreign State Letters in the Tower of London; being Letters from the Kings of France and Spain, the Kings of the Romans, the Dukes of Norway, and the Earls of Holland and Flanders, addressed to the Kings of England and Britain, during the period that elapsed from the beginning of the Reign of Henry 3d to the end of the Reign of Richard the 3d.

Proceedings of His Majesty's Commissioners on the Public Records of the Kingdom, June 1832, August 1833. (1 vol. folio. Printed, but not for sale.) This volume contains numerous Extracts from the early Wardrobe Accounts; the Memoranda Rolls; the Placita Curiæ Regis; the Early Fines, &c.; and copies of numerous short ancient Records and Documents. It will be found in the Library of the House of Commons.

Materials for the History of Britain; folio. The first volume is printed, with the exception of the Prolegomena. The principal contents are, Gildas, Nennius, Bede, the Saxon Chronicle, the Welsh Chronicle, Asser, Athelweard's Chronicle, Florence of Worcester, Henry of Huntingdon, Simeon of Durham, &c.

Besides the foregoing Works, various Reports and Papers have been printed for the private use of the Board; the principal of which are,

Mr. Illingworth's Observations on the Public Records of the Four Courts at Westminster, and on the measures recommended by the Committee of the House of Commons, in 1800, for rendering them more accessible to the Public; 8vo.

Observations on the Calendars of the Proceedings in Chancery, and on the Parliamentary Writs; 8vo.

Report of the Committee, on the Utility and Expediency of collecting and publishing the Constitutional Records, from the Conquest to the Accession of Edward 1st; 8vo.

Report of the Committee on the Mode of remunerating the Sub-Commissioners; 8vo.

Letter from the Right Rev. the Bishop of Llandaff to the Right Honourable the Speaker, upon the Parliamentary Writs; 8vo.

Letter from Mr. Protheroe, one of the Commissioners, addressed to the Secretary, upon the continuation of the Parliamentary Writs; 8vo.

The Report of the Committee on the Calendars of the Proceedings in Chancery, in the Reign of Queen Elizabeth; 8vo.

The Bill of John Bayley, Esq. Principal Clerk in the Record Office, Tower, for Searches, Office Copies, &c. of Records relative to the Claim of the Corporation of Liverpool to the Town Dues; folio, pp. 32.

Work of Cleaning, Repairing, Sorting, Describing, and Cataloguing the Records.

There is an important work, of a different nature from any of those above mentioned, and which is also carried on with the greatest diligence under the orders of the Board, that is to say; the operation of cleaning, repairing, sorting, describing, and cataloguing Records and Manuscripts in different offices. Some notion of the extent of this operation may be formed from the fact, that in the Aug-

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No. 2.
Receipts, &c. of Commissioners, 1831–1833.

mentation Office alone, 15,483 Records have been cleaned, flatted, &c. since the 22d of June last; whilst in the King's Remembrancer's Office, the number of Miscellaneous Records cleaned, repaired, described, catalogued and arranged chronologically, from the 23d May to the 28th instant, amounts to 3,028, of which 105 belong to the reign of Henry 3d and preceding reigns, 1,212 to the reign of Edward 1st, 658 to that of Edward 2d, and the remainder to the reign of Edward 3d.

But this is not all that has been done in this particular department; for, to use the words of a recent Return to the Board, "besides this work, much sortation of the Miscellaneous Records of the King's Remembrancer's Office has taken place, and many thousand Writs, Charters, Inquisitions, and small instruments have been cleaned, many arranged, and all the remainder ready for arrangement; so that the Catalogue and number of Rolls above given (3,028) is only a *portion* of the work, perhaps *five-eighths*."

These Miscellaneous Records were formerly in the wooden shed in Westminster Hall, where great numbers were destroyed by the damp; and they have recently, under a warrant from the Treasury, been transferred to the custody of the Record Commissioners. They are for the most part of great value. Many of the same class were purloined and sold about three years ago, when several were purchased by Sir Thomas Phillips, who gave for one the sum of 110*l.*, and for another the sum of 73*l.* 10*s.* The Trustees of the British Museum also bought several; two of them at the price of 51*l.* 12*s.* each.

— No. 5. —

ALPHABETICAL LIST of the LIBRARIES to which the Works printed under the Direction of the COMMISSIONERS OF PUBLIC RECORDS are presented; 1833.

Note.—The Libraries marked thus * are those to which the works were first given by order of the present Board.

ENGLAND, IRELAND AND SCOTLAND.

Aberbrothock, the Subscription Library.
Aberdeen, New, the University of Marischal College.
— Old, the University of King's College.
Armagh, the Cathedral Library.

Bangor, the Cathedral Library
Bath Institution.
Birmingham Library, Birmingham.
Bishops Auckland, Bishop of Durham's Library.
Bristol Library Society.
— the Cathedral Library.

Cambridge, Catherine Hall.
— Christ's College.
— Clare Hall.
— Corpus Christi College.
— Downing College.
— Emanuel College.
— Gonvil and Caius College.
— Jesus College.
— King's College.
— Magdalen College.
— Pembroke Hall.
— Public Library.
— Queen's College.
— Saint John's College.
— Saint Peter's College.
— Sidney Sussex College.
— Trinity College.
— Trinity Hall.
Canterbury, the Cathedral Library.
Carlisle, the Cathedral Library.
Chester, the Cathedral Library.
Chichester, the Cathedral Library.
Cork Royal Institution.
Coventry Subscription Library.
Cupar, Fife, Public Library.

Doncaster Library.
Dublin Castle Library.
Dublin, Christ Church, the Cathedral Library.
— King's Inns Library.
— *Library Society.
— Office of Ulster King at Arms.
— Record Tower, Dublin Castle.
— Royal Academy.
— Society.
— St. Patrick, the Cathedral Library.
— Stevens' Hospital.
— Trinity College.
*Dundee, Public Library.
Durham, the Cathedral Library.

Edinburgh, the College of the University Library.
— General Registry House.
— the Library of the Faculty of Advocates.
— the Writers to His Majesty's Signet.
— the Lyon Office.
Ely, the Cathedral Library.
Eton College Library.
Exeter, the Cathedral Library.
— Devon and Exeter Institution.

Fulham, Bishop of London's Library.

Glasgow, the University Library.
Gloucester, the Cathedral Library.

Hartlebury Castle, Worcestershire, Bishop of Worcester's Library.
Hereford, the Cathedral Library.
Hertford, East India College.
Hull Subscription Library.

*Ipswich, Corporation, for use of County of Suffolk.
Leeds Subscription Library.
Lichfield, the Cathedral Library.
Lincoln, the Cathedral Library.
Liverpool Royal Institution.
Llandaff, the Cathedral Library.
London, Antiquaries, Society of.

London,

London, Arts, Society of, Adelphi.
— Auditors of Land Revenue.
— Augmentation Office.
— British Museum.
— Chapter House, Westminster.
— Commissioners of Woods, Forests, and Land Revenues.
— Corporation of London, Guildhall.
— Doctors' Commons Library.
— Duchy of Cornwall.
— Duchy of Lancaster.
— First Fruits Office.
— Gray's Inn Library.
— Heralds' College.
— House of Commons Library.
— — Lords Library.
— Inner Temple Library.
— Institution.
— Irish Office.
— *King's College.
— King's Remembrancer's Office, Exchequer.
— Lambeth Palace.
— Law Institution.
— Lincoln's-Inn Library.
— Lord Treasurer's Remembrancer's Office, Exchequer.
— Middle Temple Library.
— Rolls Chapel.
— Royal Institution.
— — Library, British Museum.
— — Society.
— St. Paul's Cathedral Library.
— Sion College.
— State Paper Office.
— Tower Record Office.
— Town Clerk's Office.
— University Library.
— Westminster, the Cathedral Library.
— Williams, Dr. Library, Red Cross-street.
Manchester, Library in the College.
— Portico Library.
Montrose, Public Library.
Newcastle, Literary and Philosophical Library.
Norwich, Library of the Corporation.
— the Cathedral Library.
*Nottingham, Subscription Library.
Ossory, the Cathedral Library.
Oxford, the Cathedral Library.
— All Soul's College.
— *Ashmolean Museum.
— Baliol College.
— Bodleian Library.
— Brazen Nose College.
— Christ Church College.
— Corpus Christi College.
— Exeter College.
— Hertford College.
— Jesus College.
— Lincoln College.
— Magdalen College.
— Merton College.
— New College.
Oxford, Oriel College.
— Pembroke College.
— Queen's College.
— Radcliffe Library.
— Saint John's College.
— Trinity College.
— University College.
— Wadham College.
— Worcester College.
Peterborough, the Cathedral Library.
Reading Literary Institution.
Ripon, Library of the Collegiate Church.
Rochester, the Cathedral Library.
Rose Castle, Cumberland, Bishop of Carlisle's Library.
Salisbury, the Cathedral Library.
*Sandhurst, Library of the Royal Military College.
Sheffield Subscription Library.
Shrewsbury School Library.
Southwell, Library of the Collegiate Church.
St. Andrew's, University Library.
St. Asaph, the Cathedral Library.
St. David's, the Cathedral Library.
Taunton, Somerset and Taunton Institution.
Waterford, the Cathedral Library.
Wells, the Cathedral Library.
Winchester, the College Library.
— the Cathedral Library.
Worcester, the Cathedral Library.
Yarmouth, Public Library.
York, Subscription Library.
— the Cathedral Library.

Foreign Libraries.

Berlin, the Royal Library.
Berne, the Public Library.
*Bremen, the Public Library.
*Bruxelles, the Public Library.
Copenhagen, the Royal Library.
*Dresden, the Royal Library.
*Frankfort on the Maine, Public Library.
*Florence, the Public Library.
Gottingen, the University Library.
*Ghent, the Library of the University.
*Genoa, the Public Library.
Hanover, His Majesty's Library.
*Hamburg, the Library of the Senate.
*Halle, the Library of the University.
*Leipzig, the University Library.
*Lubeck, the Library of the Senate.
*Munich, the Royal and National Library.
*Moscow, the Imperial Library.
Paris, the Royal Library, Rue Richelieu.
* — Library of the Chamber of Peers.
*Petersburgh, the Imperial Library.
*Rome, the Vatican Library.
*Stockholm, the Royal Library.
*Tubingen, the Library of the University.
*Turin, the Royal Library.
*Vienna, the Imperial Library.
*Wolfenbüttel, the Public Library.
*Washington, the Library of the United States.

The publications of the old Commissioners have been always given to the Sub-Commissioners and gentlemen in the frequent employ of the Board. Occasionally, too, the same publications have been given to persons engaged in historical and antiquarian pursuits. Complete sets have been given (*lent*) to Dr. Southey and Dr. Lingard; particular Works have been given to Mr. Edward Baines, Mr. Douce, Sir Henry Ellis, Mr. George Baker, &c.

The total value of the Works so given to Public Libraries and individuals exceeds the sum of 35,000 *l.*

A smaller number of copies is printed of the Works of the new Board, and it is not therefore intended to send them to the whole of the above-mentioned Libraries.

In making a selection, it will probably be thought expedient to omit the College Libraries at Oxford and Cambridge, the Cathedral Libraries, and many of the Public Offices in London, Dublin, &c.

Lincoln's Inn,
Dec. 30, 1833.

C. P. Cooper,
Sec. Com. Pub. Rec.

— No. 3. —

Appendix (C.)

No. 2. Receipts, &c. of Commissioners, 1833–1835.

A RETURN of the Receipts and Disbursements of the Record Commission, from the 12th March 1833, (the period down to which the Account of such Receipts and Disbursements is brought by the Return dated 30th December 1833,) to 31st December 1835; showing the Dates of the Chief Payments, the mode in which the last Parliamentary Grant has been expended, the Liabilities of the Commission, and the Cost of the principal Works; also the Names of the Sub-Commissioners, Editors, Clerks, Transcribers, Workmen, and others, in the employ of the Commission, and a Statement of their Salaries or other Remuneration; a List of the chief Works published, printed, compiled or transcribed since 12th March 1831; a List of the Libraries and other Repositories at home and abroad, to which its Publications in the whole, or in great part, have been presented by His Majesty; and a Catalogue of the Books purchased for the use of the Commission, since the 12th March 1831.—Presented to The House of Commons pursuant to order.

1833:	(1.)—RECEIPTS:	£. s. d.	£. s. d.
Sept. 23.	—Cash received from the Lords of the Treasury, being the Parliamentary Grant for the year March 1833 to March 1834	8,000 – –	
1834:			
Jan. 9.	—Cash received from Messrs. Baldwin & Co., for books sold by them	808 6 –	
June 16.	—Cash received from the Lords of the Treasury, being the Parliamentary Grant for the year March 1834 to March 1835	10,000 – –	
1835:			
April 30.	—Cash received from Messrs. Baldwin & Co., for books sold by them	379 8 1	
Aug. 20.	—Cash received from the Lords of the Treasury, being the Parliamentary Grant for the year March 1835 to March 1836	10,000 – –	
Nov. 2.	—Cash received for official fees for searches in the Augmentation Office Records	52 6 4	
			29,240 – 5
	[See the remark at the end of the Account of Disbursements.]		

	(2.)—DISBURSEMENTS:	£. s. d.	£. s. d.
1834:	King's Printers' Bills.		
Jan. 2.	—Balance of King's Printers' Bill for certain works done previously to the issuing of the present Commission [See the last Return as printed by Order of the House of Commons, pages 4 and 5.]		289 19 –
1834:	Account for Printing, &c.		
Jan. 2.	—Calendars of the proceedings in Chancery, in the reign of Queen Elizabeth, from the originals in the Tower, Vol. 3 (remainder), 50 ½ sheets folio, No. 1,000, with strong ink and extra manner, a' 4*l.* 2*s.*	207 1 –	
	Numerous alterations and corrections in the proofs and revises	35 8 –	
	Used for this volume 101 ½ reams of fine wove demy paper, and for proofs and revises, a' 26*s.*	131 19 –	
	Writing in various inscriptions on the title-page	6 15 –	
	Binding 250 copies of this volume in basil, broad bands, filletted and double lettered, a' 7*s.* 9*d.*	96 17 6	
	Tying-up the 250 copies in brown paper, and porterage, a' 3*d.*	3 2 6	
			481 3 –
	[This is one of the volumes, the printing of which had been commenced by the old Commission.]		
	Calendarium Inquisitionum Post Mortem, vol. 5, in part, six sheets folio, viz.		
	Printed off three sheets, No. 1,000, a' 3*l.* 11*s.*	10 13 –	
	Composed three sheets, a' 2*l.* 7*s.*	7 1 –	
	Corrections on ditto	5 8 –	
	Used for the three sheets, six reams of fine wove demy paper, a' 26*s.* 6*d.*	7 19 –	
			31 1 –
	[This volume belongs to a work of the former Commission.]		512 4 –

1834:	Account for Printing New Works:	£. s. d.	£. s. d.	£. s. d.
Jan. 2.—	Record Commission, 12th March 1831, printed in 8vo. for the use of the Commissioners, on fine thick royal paper, No. 50	3 10 –		
	Labels for ditto, No. 25	– 4 6		
			3 14 6	
July 8.—	A General introduction to Doomsday Book, by Sir Henry Ellis, 2 vols. demy 8vo, 68 sheets, No. 500, a' 2*l.* 11*s.* 6*d.*	175 2 –		
	Extra for Index, Saxon, proofs, labels, and corrections	80 11 –		
	Used for the above volumes 68 ½ reams, and for proofs and revises, a' 26*s.*	89 1 –		
			344 14 –	
	Rotuli Litterarum Clausarum in Turri Londinensi Asservati, vol. 1, 210 sheets folio, including half-sheet cancelled, No. 500, a' 3*l.* 5*s.*	682 10 –		
	Corrections and deleted matter in the proofs and revises	106 7 –		
	Specimen of the Work, proofs of the Introduction, engraving on wood, and working in various inscriptions on the title-page	5 10 6		
	Used for the 210 sheets 211 reams of fine wove demy paper, and for proofs and revises, a' 26*s.*	274 6 –		
			1,068 13 6	
	Rotulus Cancellarii, vel Antigraphum Magni Rotuli Pipæ de Tertio Anno Regni Regis Johannis, royal 8vo, 48 sheets, including cancels and Appendix, not used, No. 250, a' 3*l.* 3*s.* 6*d.*	152 8 –		
	Five sheets composed, not printed off, at 2*l.* 14*s.* 6*d.*	13 12 6		
	Extra for indexes, tables, small letter, proofs and corrections	50 14 –		
	Paid for engraving on copper four pages of specimens of Pipe Roll, and printing 300 sets on large royal paper	27 8 –		
	Used for the above volume 24 ½ reams of fine wove royal paper, and for proofs and revises, a' 32*s.*	39 4 –		
			283 6 6	
	Magnus Rotulus Scaccarrii de Anno Tricesimo Primo Regni Henrici Primi, royal 8vo, 13 ¼ ⅛ sheets, No. 250, a' 3*l.* 3*s.* 6*d.*	42 17 3		
	Extra for Index, and corrections and extra copies	21 18 –		
	Used for the above volumes seven reams of fine wove royal paper, a' 32*s.*	11 4 –		
			75 19 3	
	An Essay upon the Authority of the King's Council, demy 8vo, 10 ¼ sheets, No. 250, a' 1*l.* 17*s.*	19 8 6		
	Corrections and small letter on ditto	23 13 –		
	Used 5 ½ reams of fine demy paper, a' 26*s.*	6 16 6		
			49 18 –	
				1,826 5 9
	Account for Binding, &c.			
Jan. 2.—	For various bindings of the Public Records, for special purposes in 1831, including sets for the Commissioners; also for binding copies of the Commission	351 19 –		
	Carriage and Postage	33 17 –		
			385 16 –	
	[The above bindings, and carriage and postage, were principally for works given to foreign libraries.]			385 16 –

(continued)

Appendix (C.)

No. 2.
Receipts, &c. of Commissioners, 1833–35.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
1834:									
July 8.—Binding 26 copies of the General Introduction to Doomsday Book, in maroon coloured cloth, lettered, 2 vols. at 3 *s.* 4 *d.*	4	6	8						
Binding 474 copies of ditto in green, 2 vols., at 1 *s.* 10 *d.*	43	9	–						
				47	15	8			
Carriage and postage	1	5	–						
For various bindings of the Public Records for special purposes, in 1832	3	14	–						
				4	19	–			
Binding 250 copies of Rotuli Litterarum Clausarum in basil, broad bands, filleted and double lettered, at 8 *s.* 3 *d.*	103	2	6						
Tying-up the 500 copies in brown paper, and porterage, at 3 *d.*	6	5	–						
				109	7	6			
Binding 25 copies of Rotulus Cancellarii in puce coloured cloth, lettered, at 1 *s.* 4 *d.*	1	13	4						
Binding 225 copies of ditto in green, at 1 *s.*	11	5	–						
				12	18	4			
Binding 25 copies of Magnus Rotulus Scaccarii in puce coloured cloth, lettered, at 1 *s.* 2 *d.*	1	9	2						
Binding 225 copies of ditto in green, at 10 *d.*	9	7	6						
				10	16	8			
Binding 25 copies of Essay on the Authority of the King's Council in puce coloured cloth, lettered, at 1 *s.*	1	5	–						
Binding 225 copies of ditto in green, at 9 *d.*	8	8	9						
				9	13	9			
							195	10	11

Other Bills for Printing:

1833:

Sept. 26.—Messrs. Roworth and Son, for printing Report of Committee on Remuneration of Sub-Commissioners; Ditto, on Mr. Palgrave, &c.; Ditto, Mr. Bayley's publication; Remarks on Mr. Palgrave's Reply; Letter of Bishop of Llandaff; Ditto, from Mr. Protheroe; Mr. Webster's specimen of Index; Questions to Record Keepers, Town Clerks, &c.; Proposal for erection of General Record Office; Correspondence, Survey and Plans; Survey of principal Repositories of Public Records; Bill of John Bayley, Esq.; Modus Tenendi Parliamentum; Appendix B. to Mr. Cooper's Report on the Fœdera, with plates; Sundry Circulars, &c. &c. — 222 10 3

Nov. 7.—Messrs. Roworth and Son, for printing Appendixes to Mr. Cooper's Report on the Fœdera — 240 15 6

1834:

June 18.—Messrs. Roworth and Son, for printing the Volume of the Proceedings of the Commissioners — 472 13 6

1835:

Aug. 22.—Messrs. Roworth and Son, for printing Appendixes to Mr. Cooper's Report; Papers relative to Mr. Pitcairn's Case; Papers relative to Building a general Record Office; also for Plans, Lithographs, &c. — 1,282 2

Other Bills for Binding, &c.:

1835:

Aug. 21.—Messrs. Roworth and Son, for binding various works, printed by them for the Commission — 37 19 7

– 21.—Messrs. Roworth and Son, repaid to them the cost of Advertisements — 42 10 6

[These advertisements were partly of new works, but for the most part of the questions which it was required should be answered, to entitle public libraries and other repositories to a set of the new publications.]

Sir Francis Palgrave, Editor of the Parliamentary Writs; paid him the following Bill.

1832, 1833.—Sir F. Palgrave in Account with the Commissioners on the Public Records.

Disbursements:	£.	s.	d.	£.	s.	d.
Mr. Cole, salary, 15 March 1832, 30 June 1832	33	15	–			
Mr. Matchwick, salary, 28 January 1832 to 28 January 1833, including a balance from preceding year	69	12	11			
Mr. Parsons, salary, one quarter of a year, 1 September, 1 December 1832	7	10	–			
Mr. Burtt, salary, one quarter of a year, 15 December 1832, 15 January 1833	7	10	–			
Duty upon clerks	3	–	–			
Stationery and binding	14	10	9			
				135	18	3

821

	£.	s.	d.	£.	s.	d.
Editorial Charges:						
Text of Parliamentary Writs, collected, transcribed and collated for the press, 190 sheets, at 2 *l.* 2 *s.* per sheet	399	–	–			
Chronological Abstract prefixed thereto, 70 sheets, at 3 *l.* per sheet	210	–	–			
Correcting the press of 38 sheets of Digest	60	18	–			
One year's Salary, due 25th March 1833	500	–	–			
	£. 1,305	16	3			
Charge for collating, &c. six sheets of Borough Charters, disallowed by Mr. Cooper on statement of Accounts	18	–	–			
Balance received from Mr. Cooper	£.			1,287	16	3
[The above volume of the Parliamentary Writs was left unfinished by the old Board.]						
Sir Francis Palgrave, editor of the Rolls of the Curia Regis and other works, his salary; 1833, September 26th, 250 *l.*; October 26th, 250 *l.*; 1834, January 23d, 250 *l.*; June 18th, 250 *l.*				1,000	–	–
Sir Francis Palgrave, salaries of his clerks, &c.; 1833, September 26th, 61 *l.* 10 *s.*; October 26th, 61 *l.* 10 *s.*; 1834, January 23d, 62 *l.* 15 *s.*; June 18th, 81 *l.* 15 *s.* 9 *d.*				267	10	9
Sir Francis Palgrave, payments on account of his salary and the salaries of his clerks, and the extra remuneration to Messrs. Devon and Clarke, conformably to the Treasury Minute made when Sir Francis Palgrave was appointed Keeper of the Records at the Chapter-house, and to the Report transmitted to the Lords of the Treasury, in pursuance of Mr. Stewart's Letter of the 24th April 1834:— 1834, June 18th, 200 *l.*; July 29th, 200 *l.*; October 20th, 200 *l.*; 1835, January 15th, 200 *l.*; August 22d, 459 *l.* 9 *s.*; August 22d, 100 *l.*; 1835, October 5th, 5 *l.*; October 31st, 200 *l.*; December 26th, 200 *l.*				1,764	9	–
Mr. Caley, two years' salary; 1833, September 25th, 1,000 *l.*; one year's ditto, due Lady-day 1834, July 3d, 500 *l.*				1,500	–	–
Sir Harris Nicolas, editor of the Acts and Ordinances of the Privy Council of England; 1833, April 13th, 100 *l.*; September 25th, 50 *l.*; November 5th, 100 *l.*; 1834, February 7th, 100 *l.*; 26th, 50 *l.*; May 10th, 150 *l.*; July 24th, 100 *l.*; October 14th, 150 *l.*; 1835, January 8th, 100 *l.*				900	–	–
Mr. Baker, clerk to Sir Harris Nicolas, for Transcripts for the above Work, and for compiling the Indexes; 1833, April 2d, 44 *l.* 9 *s.*; June 26th, 20 *l.*; September 25th, 40 *l.*; September 25th, 27 *l.* 4 *s.* 10 *d.*; December 23d, 46 *l.*; 1834, May 7th, 28 *l.* 2 *s.*; June 18th, 46 *l.* 4 *s.* 4 *d.*; August 5th, 49 *l.* 13 *s.* 4 *d.*; September 20th, 32 *l.* 18 *s.* 4 *d.*; November 15th, 42 *l.* 7 *s.* 6 *d.*; 1835, August 21st, 112 *l.* 15 *s.* 8 *d.*				489	15	–
Mr. Thomas Duffus Hardy, editor of the Close Rolls, the Patent Rolls, the Norman Rolls, &c. &c.; 1833, April 20th, 16 *l.* 16 *s.*; June 5th, 20 *l.*; July 6th, 20 *l.*; 26th, 5 *l.* 5 *s.*; July 1st, 30 *l.*; August 27th, 9 *l.* 9 *s.*; September 20th, 3 *l.* 3 *s.*; 25th, 282 *l.* 3 *s.* 6 *d.*; 25th, 30 *l.*; 28th, 11 *l.*; 29th, 60 *l.*; December 12th, 100 *l.*; 1834, February 28th, 50 *l.*; 21st, 100 *l.*; May 22d, 50 *l.*; 30th, 50 *l.*; July 4th, 100 *l.*; August 11th, 100 *l.*; October 4th, 100 *l.*; November 1st, 50 *l.*; 29th, 70 *l.*; 1835, January 19th, 150 *l.*; March 1st, 20 *l.*; September 25th, 923 *l.* 8 *s.* 8 *d.*				2,351	16	2
[Many of these payments were for transcripts and work done by clerks, and from which Mr. Hardy himself derived no profit whatever. His own rate of remuneration will appear from a subsequent part of this Return. Some payments were for miscellaneous services.]						
Mr. Foxton, for transcription of the Great Roll of the Pipe of the 31st Henry the First, and assistance in the editorship thereof; September 8th, 1834				95	6	–
Mr. Charles Devon, for transcription of the Chancellor's Roll, Select Rolls from the Chapter House, and the Fine Rolls, and assistance in the editorship thereof, and for miscellaneous services; 1833, October 9th, 166 *l.* 3 *s.* 8 *d.*; 1834, August 6th, 174 *l.* 15 *s.*; 1835, December 4th, 150 *l.*				490	18	8
Mr. William Hardy, for compilation and editorship of the volume of the Calendar of certain Records in the Duchy of Lancaster Office; 1833, September 25th, 50 *l.*; 1834, April 24th, 50 *l.*, September 8th, 50 *l.*; 1835, August 22d, 358 *l.* 9 *s.* 11 *d.*				508	9	11
Mr. Minchin, deceased, for compiling a prior part of such Calendar; 1835, September 7th				29	10	9
[This volume was left unfinished by the old Commission.]						
Sir Henry Ellis, for the Introduction to Doomsday Book, 2 vols. 8vo; 1833, September 26th				300	–	–
Sir Henry Ellis, for transcription and editorship of a volume of Records supplemental to Doomsday Book; 1835, August 24th				150	–	–

(*continued*)

Appendix (C.)

No. 3. Receipts, &c. of Commissioners, 1833-35.

	£.	s.	d.
The Rev. Joseph Hunter, editor of the Pipe Rolls, the Fine Rolls, and various other works; 1833, September 25th, 75 *l.*; 1834, January 21st, 75 *l.*, April 3d, 75 *l.*; June 27th, 95 *l.*, October 2d, 100 *l.*; 1835, January 6th, 150 *l.*, August 22d, 350 *l.*, October 7th, 100 *l.*, December 29th, 100 *l.*, 31st, 25 *l.*, 10 *l.* 3 *s.* - - - -	1,155	3	–
Mr. F. L. Hunter, clerk to the Rev. Joseph Hunter, various payments in respect of his salary of 40 *l.* a year; 1835, August 22d, 30 *l.*, December 31st, 20 *l.* - -	50	–	–
Mr. Roberts, compiler and editor of the Calendar of Heirs and Excerpts from the Fine Rolls at the Tower; 1833, April 24th, 14 *l.* 9 *s.*; 1834, July 3d, 100 *l.*, December 1st, 75 *l.*; 1835, September 26th, 220 *l.* - - - - - -	409	9	–
Mr. Webster, payments made at different times for arranging, classing, &c., the various Returns made from record offices, libraries and other public repositories in England and Wales, to the questions circulated by the Board in 1832, 20 *l.*, 5 *l.*, 5 *l.*; 1833, September 25th, Budd & Calkin, for books and stationery supplied to Mr. Webster, 14 *l.* 9 *s.*, 65 *l.*; Bigg, for books supplied to Mr. Webster, 9 *l.* 2 *s.* 6 *d.* - - - - - - - - - - - - - -	118	11	6
Mr. William Henry Black, editor of the Docquet Book of King Charles the First; 1833, November 9th, 25 *l.*; 1834, June 18th, 10 *l.*, July 11th, 10 *l.*, August 1st, 50 *l.*, 26th, 100 *l.*, September 27th, 2 *l.* 7 *s.* 6 *d.*, October 1st, 20 *l.* 4 *s.*, 50 *l.*, November 17th, 30 *l.*, December 12th, 4 *l.* 10 *s.* 9 *d.*, 20th, 100 *l.*; 1835, January 30th, 3 *l.* 2 *s.* 6 *d.*, February 6th, 25 *l.*, March 19th, 4 *l.* 10 *s.* 5 *d.*, 26th, 108 *l.* 6 *s.* 8 *d.*, June 3d, 25 *l.*, July 22d, 3 *l.* 13 *s.* 6 *d.*, August 24th, 100 *l.*, September 28th, 200 *l.*, December 28th, 4 *l.* 6 *s.* 6 *d.*, 30th, 60 *l.*, 50 *l.*, 11 *l.* 5 *s.* -	997	2	10
[Mr. Black, under the Secretary's direction, superintends the work of transcribing the Collectanea of Rymer, and other documents and manuscripts in the British Museum and elsewhere; he has also the task of arranging and cataloguing the numerous transcripts received from Germany, Italy, Switzerland, France, Portugal and the Netherlands. The above payments are on account for services, disbursements and clerks' salaries.]			
Mr. Joseph Stevenson, compiler of the Calendars of the miscellaneous and unsorted Records at the Tower, &c., 20 *l.*, 50 *l.*, 50 *l.*, 50 *l.*, 100 *l.*, 228 *l.* 18 *s.* 8 *d.*, 100 *l.*, 125 *l.*, 125 *l.*, 2 *l.* 9 *s.* 6 *d.*, 12 *s.* 9 *d.* - - - - - - - - - -	852	–	11
[The above sums were paid for services, disbursements and clerks' salaries.]			
Mr. Edward Augustus Bond; various payments in respect of his salary of 80 *l.* a year, 25 *l.*, 20 *l.*, 20 *l.*, 20 *l.*, 20 *l.* - - - - - - - - -	105	–	–
[Mr. Bond is principally employed in transcribing at the Tower, sometimes under Mr. Hardy, and sometimes under Mr. Stevenson; he was formerly engaged at the British Museum.]			
Mr. Frederick Devon, for various transcripts, searches, extra attendances, &c.; 1833, December 7th, 12 *l.* 9 *s.* 3 *d.*; 1834, January 24th, 21 *l.* 17 *s.*; March 22d, 12 *l.* 9 *s.* 3 *d.*; April 15th, 75 *l.* 5 *s.*; June 24th, 59 *l.* 18 *s.* 8 *d.*; October 31st, 19 *l.* 19 *s.* 4 *d.*; 1835, December 11th, 15 *l.* 15 *s.* - - - - -	217	13	6
Mr Frederick Devon, for compiling Index to one of the volumes of the Fœdera; 1833, April 2d - - - - - - - - - - - - - -	31	10	–
[This is a debt of the old Board.]			
Dr. Julius Drescher, for various transcripts and translations, framing and copying catalogue of Library, and miscellaneous services; 1833, May 16th, 5 *l.*; June 17th, 15 *l.*; August 16th, 5 *l.*; 23d, 5 *l.*, 10 *l.*; November 16th, 20 *l.*; 1834, February 16th, 20 *l.*; March 12th, 10 *l.*; May 16th, 20 *l.*; August 16th, 20 *l.*; October 25th, 15 *s.*; November 16th, 20 *l.*; December 24th, 25 *l.*; 1835, February 20th, 20 *l.*; May 16th, 20 *l.*; July 13th, 14 *s.*; August 17th, 20 *l.*; September 7th, 20 *l.*; November 17th, 20 *l.* - - - - - - - -	276	9	–
Mr. J. S. Brewer, for framing catalogues of certain manuscripts in the Bodleian Library, and in the libraries of various different Colleges at Oxford; 1834, October 1st, 20 *l.*; December 24th, 95 *l.* 10; 1835, August 22d, 150 *l.* - -	265	10	–
Messrs. Murphy, Bacon, Stack, Bell, Wilde, Berbrugger, Gunton, Matchwick and Mitchell, various payments for transcripts, searches, short reports and miscellaneous labour - - - - - - - - - - - - - -	399	16	7
Mr. Henry Cole, for miscellaneous services performed by him out of office hours; 1833, December 13th, 32 *l.*; 1834, May 1st, 41 *l.*; July 18th, 100 *l.*; December 20th, 80 *l.* 12 *s.*; 1835, December 31st, 223 *l.* 3 *s.* - - - - - -	476	15	–
Mr. Robert Lemon, for compiling Indexes to the Valor Ecclesiasticus Temp. Hen. VIII.; 1834, June 25th - - - - - - - - - - - -	373	16	–
[This is a debt of the former Commission.]			
New edition of Rymer's Fœdera, searches for and transcripts of materials for this work, together with freight of papers, some few books, and other expenses, from 12th March 1833 to 31st December 1835; payments of various amount to Messrs. Masterton, Greith, Koch, Lappenberg, Maier, Warnkœnig, Teulet, Stadler, Lacabane, Castelnau, Voigt, Royer Collard, Serrure, Kansler, Mone, De Portugal, Massmann. De la Fontenelle, Vandoré, Lechaudé, D'Ainsy, Deville, Gachard, Guillemot, Marechal, Herbst, Lassberg, Schreiber, Jung, Boehmer, Pape, Lacomblet, Fuchs, Hullman, Verachter and others, for the most part librarians, archivists and professors abroad - - - - - - - -	3,135	12	9½

	£.	s.	d.
MATERIALS for the History of Britain, new Editions of the Anglo-Saxon Laws and Welsh Laws.			
Various payments to Mr. Petrie for disbursements, Mr. Benjamin Thorpe and Mr. Aneurin Owen, and the estate of the late Mr. Richard Price - - - - -	1,359	9	3
EXPENSES of sorting, cleaning, arranging, repairing and binding the Records at the Augmentation Office, Chapter House, Pipe Office, King's Remembrancer's Office and Rolls' Chapel.			
Augmentation Office, Chapter House and Rolls' Chapel:—Mr. Caley, on account; 1833, June 6th, 100 *l.*; balance, August 6th, 123 *l.* 5 *s.* 8 *d.* - - - - - - - - - - - - -	223	5	8
Trickett and Leighton and Sons; bills for binding the Records at the Augmentation Office, Rolls' Chapel, Duchy of Lancaster Office and Chapter House; 1833, December 19th, 109 *l.* 1 *s.* 6 *d.*; 1834, November 1st, 3 *l.* 15 *s.*; 1835, August 21st, 21 *l.* 13 *s.* - - - - [This work was done under Mr. Caley's direction.]	134	9	6
	357	15	2
Pipe Office:—Mr. Charles Panton; 1833, March 13th, 15 *l.*; October 8th, 30 *l.*; 1834, March 15th, 50 *l.*; August 9th, 66 *l.* 0 *s.* 6 *d.* - - - - - - [Some small part of these payments were for disbursements, the remainder were for services.]	161	–	6
King's Remembrancer's Office:—Mr. Trickey; 1833, March 14th, 50 *l.*; October 2d, 37 *l.* 10 *s.*; November 4th, 37 *l.* 10 *s.*; 1834, January 11th, 37 *l.* 10 *s.*; June 18th, 75 *l.*; October 21st, 37 *l.* 10 *s.*; 1835, January 30th, 37 *l.* 10 *s.*; May 27th, 37 *l.* 10 *s.* - - - - - - - - - - - - [The whole of these monies were paid for labour.]	350	–	–
Mr. Adlington; 1834, June 28th - - - - - - - - - - [The whole for services.]	84	–	–
1833, August 15th; Mr. Robert Thompson; disbursements in respect of the King's Remembrancer's Records in the Stone Tower, Westminster - - - - -	3	17	6
Mr. Cole; payments at various times at the rate of 150 *l.* per annum, for services at Boswell court, where the Records of the King's Remembrancer's Office were for some time repaired, at the King's Mews, Carlton Ride and the Augmentation Office - - - - - - - - - - - - - - - -	412	10	–
Mr. R. D. W. Bond; payments at different times for services at the King's Mews and the Augmentation Office - - - - - - - - - - -	186	11	6
Wages of workmen employed at Boswell court, King's Mews, Carlton Ride, Augmentation Office, Rolls' Chapel and elsewhere, in sorting, cleaning and repairing the Records - - - - - - - - - - - - -	1,971	6	7½
Batchelor; various bills for repairing and binding the Records in the above-mentioned repositories - - - - - - - - - - - - -	535	18	8
Howard; for bags for the Records, principally in the Augmentation Office and King's Remembrancer's Office - - - - - - - - - - -	37	10	–
Heard, Parker and Skipsey; for various bricklayers and carpenters, and other work, principally at the Augmentation Office, Boswell-court, and the Chapter House, including chests and boxes for the Records - - - - - -	981	3	10½
1835, December 31; King's Printer, for labels for presses at Chapter House, &c. -	15	18	3
Dixon, Gibbs, Lloyd, Bonsor and others; bills for parchment, vellum, tracing paper, steel and quill pens, paper, sponge, tape, cord, sealing and other thread, paste, starch, linen and woollen cloths, soap, candles, oil, wood, and various other materials and articles, also for presses and tools used in repairing and cleaning the records - - - - - - - - - - - - - [These bills include the paper supplied to all the sub-commissioners, editors, transcribers and clerks; the tracing paper used in repairing the Records is all procured from France, principally from Bordeaux, no species manufactured in this country being adapted for the purpose.]	2,062	10	1¾
Haybittle; coals at Boswell-court and Augmentation Office - - - - -	83	2	6
Purchase of Palæographical books in all languages, such as Mabillon De re Diplomatica, Waltheri Lexicon Diplomaticum, Kopp Palæographia, Rodriguez Bibliotheca Universal de la Polygraphia, &c.—[This department of the Library of the Board is now nearly complete, and has been already found of great utility to the school of young transcribers.] Purchase of books for the new edition of Rymer's Fœdera.—[These consist principally of works published in Germany, Italy, France, Denmark, Sweden, Spain, Portugal, Belgium, Switzerland and Russia, containing Royal and public letters, diplomes and other historical materials, almost entirely unknown in this country, but which are of a nature similar to the documents inserted in Rymer, and an acquaintance with which is indispensable to those to whom the superintendence of the task of continuing			

(*continued*)

Appendix (C.)

No. 3. Receipts, &c. of Commissioners, 1833-35.

	£.	s.	d.
the compilation in question may be confided. The whole of these works have been already used for the Report upon the Fœdera, commenced by the Secretary in the summer of the year 1831, and of which Report four volumes (each containing as much as three octavo volumes of the size usually adopted by the Board) are now finished at press. It may be questioned whether it will be expedient to reprint these scattered letters, diplomes, &c.; but it is apprehended no doubt can exist as to the utility of forming a Chronological Catalogue of them upon the plan of the Regesta Chronologico Diplomatica, of Georgisch, or the Table Chronologique des Diplomes, Chartes, Titres et Actes imprimés, of Brequigny. The Society for the publication of the Monumenta Germaniæ Historica, patronized by all the German States, have found it necessary to commence this branch of their labours by compiling Works of the same kind; for instance, the Regesta Chronologico Diplomatica Regum atque Imperatorum Romanorum inde Conrado I. usque ad Henricum VIII., 1831, Regesta Chronologico Diplomatica Karolorum, 1833, Regesta Chronologico Diplomatica Regis Romanorum, 1834, 3 vols. 4to.] Purchase of some few miscellaneous books for the use of the editors, sub-editors, clerks and other persons in the employ of the Board.—[In all upwards of 2,100 volumes, exclusive of a considerable number the titles of which are not given in the Catalogue forming the last part of this Return, that are not wanted for immediate use here, and are deposited at Paris, Ghent and Hamburgh, in the expectation that an opportunity may occur of their being sent free of charge. The total cost of books since the issuing of the commission is 1,576 *l.* 13 *s.* 3 *d.**] [It is conceived that for the future the yearly outlay for books will be very trifling] - - - - - - - - - - - -	774	17	3
Carriage of parcels, containing printed questions, addressed to various corporate bodies and other institutions supposed to be possessed of ancient records and manuscripts; 1833, June 27, 8 *l.* 17 *s.* 4 *d.*; March 15, 47 *l.* 13 *s.* 2 *d.*; 1834, May 24th, 30 *l.* 4 *s.* 10 *d.* - - - - - - - - - - - -	86	15	4
Expenses attending the forwarding at sundry times certain Works of the Board to Paris, Ostend, Ghent, Hamburgh, Rotterdam, Lisbon, Leghorn, Dublin, Isle of Man, Guernsey, &c.; also expenses of transmitting to and receiving back from some of the above-mentioned places proof-sheets of the Appendixes to the Secretary's Report on the Fœdera, &c. - - - - - - - - - -	253	14	1
Circulars to clerks of the peace, town-clerks, bailies and other officers in England, Wales, Scotland and Ireland, relative to public libraries, counties, boroughs, &c.; 1834, March 31st, 4 *l.* 18 *s.* 10 *d.*; April 17th, 7 *l.* 5 *s.* 9 *d.*; June 9th, 13 *l.* 11 *s.* 5½ *d.*; July 22d, 4 *l.* 10 *s.* 8½ *d.* - - - - - - - -	30	6	9
Desks and other articles of furniture - - - - - - - - - -	39	12	6
Leaver, Hardiman and others; for copying Returns to Parliament, Reports, and various papers and documents for the use of the Board - - - - -	161	9	7
Interest paid to Messrs. Eyre & Spottiswoode, Messrs. Williams & Co. (Birchin-lane), and Messrs. Snow & Co. (Strand), for money advanced - - - -	719	3	9
Paid for a copy of Rymer's Fœdera, to be used in collating - - - -	12	–	–
Paid Cochrane for a copy of Dugdale's Monasticon, given to Dr. Lappenberg -	36	15	–
Paid Cox for Index to the Records at the Augmentation Office - - - - [This is a debt of the old Board; the Index has been given by the present Commissioners to the British Museum.]	105	–	–
Paid Mr. Stewart for a transcript of the Catalogue of the Cecil Papers at Hatfield House, four large folio volumes, 1835, October 23d - - - - -	200	6	–
Mr. Kritnitsky: translation of Documents in the ancient Russian language, preserved in the Imperial archives, Moscow, connected with English history - -	31	10	–
Secretary's salary to December 1835, 3 years and 3 months - - - -	1,625	–	–
Mr. George Smith's salary, from March 1st, 1833, to December 1st, 1835, 2 years 9 months - - - - - - - - - - - - - - -	151	5	–
Mr. Bennett, ditto, from January 1833 to December 31st, 1835, 3 years - -	193	15	6
Messenger; wages from 16th March 1833 to December 1835, being 2 years and 41 weeks, at 1 *l.* per week - - - - - - - - - - -	145	–	–

* The items that make up this sum have been extracted by the Secretary himself. Since the present Return was prepared it has been noticed that the above sum of 774 *l.* 17 *s.* 3 *d.*, added to the sum of 497 *l.* 6 *s.* stated by the last printed Return (December 1833) to be the cost of the Library, falls short of this total of 1,576 *l.* 13 *s.* 3 *d.* Upon examining the rough and imperfect notes from which the last-mentioned Return appears to have been prepared, there seem to be three reasons for this discrepancy: first, that the accountant had mistaken a printed catalogue (5 vols. folio), which cost 32 *l.*, for a manuscript compilation; secondly, that he omitted to take any account of the various small sums of money from time to time paid for books, comprised in the petty cash disbursement book, and which exceed 100 *l.*; thirdly, that there were two or three large lots of books, that having been wanted for temporary purposes, were placed in the hands of a bookseller and stationer, and the value being to be allowed in exchange for parchment, vellum and paper, was carried to the latter head; eventually, however, the lots were exchanged for other books, or sent to the British Museum; and the amount of the value ought, therefore, to be transferred from the head comprising parchment, vellum and paper, to the head of books; and this has now been done.—(*Vide* Mr. Cooper's Letter, p. 788, and "Observations of Mr. Protheroe," p. 874.

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	£.	s.	d.
Laundress; wages from 1st March 1833 to 1st December 1835, 2 years and 9 months	55	–	–
Rent of rooms from December 1832 to December 1835, 3 years	210	–	–
Postage, carriage of parcels, extra porterage, coach-hire, cab-hire, van-hire, cart-hire, boat-hire, truck-hire, &c. &c.	674	16	9½
[The large amount of this item is principally occasioned, first, by the correspondence with the libraries at home and abroad, 511 in number, to which the Publications of the Commissioners have been sent; secondly, by the correspondence arising out of the distribution of the questions mentioned in a former part of this Return; and, thirdly, by coach-hire during the long vacations, and also the Easter and Christmas vacations of 1832, 1833 and 1834; the Easter vacation and part of the long vacation of 1835, when Dr. Drescher and the messenger conveyed almost daily to and from the Secretary's house, in St. John's Wood, volumes used in the Appendix A. to the Report on the Fœdera, and the materials for British History in Foreign Libraries.]			
December 28, 1835.—Mr. Roworth, senior, for trouble in analyzing the King's Printers' Bills, from the year 1801 to the year 1831, with a view to ascertain the cost of the different printed works	25	–	–
Other disbursements not comprised under any of the foregoing heads, and monies in the hands of Mr. George Smith arising from advances made by Bankers or Secretary	397	9	–¼
[On the 12th March 1833, there was a balance in hand, arising from an advance made by Messrs. Eyre & Spottiswoode.]			
[The returns made December 1833 of receipts, comprise only the Parliamentary Grants, and the monies arising from the sale of books; hence, according to that Return, there was on 12th March 1833 a small sum due to the Board. During the period embraced by the foregoing accounts, further advances have been made by Messrs. Eyre & Spottiswoode, by Messrs. Williams & Co., by Messrs. Snow & Co., and by the Secretary. Part of the advances made by Messrs. Eyre & Spottiswoode, and all the advances made by Messrs. Williams & Co., have been repaid. But, in order to render the preceding statement of receipts and disbursements more simple and intelligible, such advances and partial repayments have been omitted. All notice too of items, either on the debit or credit side of the account, in respect of errors, has for the like reason been forborne. The statement exhibits the actual receipts from the Lords of the Treasury, the sale of Books, and Augmentation Office fees; and the actual disbursements. These last, it will be found, exceed the former by a very large sum, which is due to Messrs. Eyre & Spottiswoode and Messrs. Snow & Co., and the Secretary. The debts and liabilities of the Board of every description, including all tradesmen's bills, and the salaries payable at the four usual quarterly feasts, have been satisfied to Christmas last, with the exception of the balance above-mentioned, and the King's Printers' Bills, which are partly for printing and paper, and partly for binding, and other expenses attending the presentation of the works of the Commission to public libraries and other repositories.]			
£.	40,040	–	5

(3.)—LIABILITIES.

A VERY erroneous impression respecting the existing Debt may be produced, unless the statement of it is accompanied by an account of the Debts and Liabilities of the old Commission, which the present Board has discharged.

Debts and Liabilities of the old Commission which have been paid and satisfied by the new Board.

	£.	s.	d.
1831:			
Aug. 27.—Paid King's Printer	2,929	13	10
Paid Mr. Caley on account of salary as Secretary to the late Commission	210	–	–
Paid Mr. Caley on account for the reparation of the Public Records	200	–	–
– 29.—Paid R. Price, Esq., editor of the Anglo-Saxon Chronicle	125	–	–
Sept. 1.—Paid F. Palgrave, Esq., editor of the Parliamentary Writs	1,588	3	4
Nov. 30.—Paid R. Price, Esq.	125	–	–
Dec. 22.—Paid Thomas Thomson, Esq. for Disbursements, &c. &c. at Edinburgh	2,912	–	–
– 28.—Paid A. Owen, Esq., editor of the Welsh Chronicles	50	–	–
– 29.—Paid Mr. Caley for bookbinders' bills	87	11	6

Appendix (C.)

No. 3. Receipts, &c. of Commissioners, 1833-35.

	£.	s.	d.
1832:			
Feb. 6.—Paid Mr. Caley on account for reparation of Records	100	–	–
– 28.—Paid R. Price, Esq.	50	–	–
May 10.—Paid R. Price, Esq.	75	–	–
June 1.—Paid Mr. Palmer for Index to Inquisitions Post Mortem	177	–	–
– 2.—Paid R. Price, Esq.	125	–	–
Paid R. Price, Esq. for travelling expenses	40	13	10
Paid King's Printer on account	4,250	–	–
– 4.—Paid Mr. Caley for arrears due to him for services on the Valor Ecclesiasticus, &c.	262	10	–
– 9.—Paid Mr. Lemon for transcribing and collating documents	42	15	4
– 19.—Paid Mr. Palgrave, as per account	1,302	19	6
– 22.—Paid Mr. Caley for bookbinders' bills	93	8	6
Paid Mr. Caley for reparation of Records	127	1	1
July 10.—Paid Hodgson for transcripts	20	–	–
– 13.—Paid F. Holbrooke, Esq. for his services as Sub-Commissioner from 25th March 1830 to 25th March 1831	300	–	–
– 18.—Paid Mrs. Minchin, executrix of W. Minchin, Esq. deceased, for arrears due to the estate of the said William Minchin, in respect of the Duchy of Lancaster Records	182	5	3
– 28.—Paid Mr. Caley on account for reparation of Public Records	150	–	–
Aug. 10.—Paid Leaver for copying proceedings of Mr. Bayley's Committee, &c. &c., as per account	18	18	–
Paid Williams for copying proceedings of Mr. Bayley's Committee, &c. &c., as per account	10	15	–
– 17.—Paid Mr. Bayley for Chancery Proceedings temp. Elizabeth	150	–	–
– 22.—Paid R. Price, Esq.	125	–	–
Nov. 23.—Paid R. Price, Esq.	125	–	–
Dec. 8.—Paid Mr. Caley for binding and repairing the Records	207	18	2
1833:			
March 2.—Paid R. Price, Esq.	125	–	–
Paid Messrs. Roworth for printing various Reports and Papers relative to the Parliamentary Writs and Calendars of Proceedings in Chancery in the time of Queen Elizabeth	56	3	3
Paid for copying various Reports, Accounts and Papers, for the most part relating to the Parliamentary Writs and Calendars of Chancery Proceedings. [The amount cannot be exactly ascertained.]			
– 30.—Paid Mr. Petrie on account of collection of materials for the History of Britain	28	3	–
April 2.—Paid Mr. Frederick Devon for Index to an unfinished volume of the Fœdera	31	10	–
Sept. 25.—Paid A. Owen, Esq.	250	–	–
Paid Mr. William Hardy on account of the unfinished volume of the Duchy of Lancaster Records	50	–	–
Paid Mr. Caley	1,000	–	–
Dec. 19.—Paid Trickett for binding	109	1	6
1834:			
Jan. 2.—Paid King's Printers for balance of a bill for work done under old Commission	289	19	–
Paid King's Printers for printing volume of Calendars of Chancery Proceedings, left unfinished by the former Board	481	3	–
Mar. 29.—Paid Mr. Petrie on account of the collection of materials for the History of Britain	16	15	–
April 24.—Paid Mr William Hardy on account of unfinished volume of the Duchy of Lancaster Records	50	–	–
June 25.—Paid Mr. Robert Lemon for Indexes to the 6th volume of the Valor Ecclesiasticus	373	16	–
July 3.—Paid Miss Caley, executrix of Mr. Caley	500	–	–
– 8.—Paid King's Printers, vol. 5 of Inquisitions Post Mortem	31	1	–
Aug. 5.—Paid Miss Caley balance due to Mr. Caley's estate for binding Records	123	5	8
Sept. 8.—Paid Mr. William Hardy on account of the 3d volume of the Duchy of Lancaster Records	50	–	–

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Appendix (C.)

No. 3. Receipts, &c. of Commissioners, 1833-35.

	£.	s.	d.
1834:			
Sept. 12.—Paid Cox for Index to Records at Augmentation Office	105	–	–
– 26.—Paid Messrs. Roworth for printing different Letters, Reports, &c. upon the Chancery Calendars of Queen Elizabeth, and upon the Parliamentary Writs	89	4	9
Paid for transcribing different Bills, Memorials, Letters, Reports, and other Papers mostly concerning the publication of the Parliamentary Writs, and the Chancery Proceedings of Queen Elizabeth. [The amount cannot be stated.]			
1835:			
Aug. 21.—Paid Trickett for binding under Mr. Caley's direction	21	13	–
Paid Messrs. Roworth & Son for printing Papers relative to the case of Robert Pitcairn, Esq., writer to the Signet in the employ of the former Board	31	5	6
Paid for copying various Documents and Papers relative to Mr. Pitcairn's case. [The sum cannot be ascertained.]			
Paid Mr. Hardy balance in respect of unfinished volume of Duchy of Lancaster Records	358	9	11
Sept. 7.—Paid the Estate of the late Mr. Minchin, for unfinished volume of Duchy of Lancaster Records	29	10	9
£.	20,364	14	8

Debts of the Old Board still Unpaid.

Valor Ecclesiasticus, vol. 6, printing and paper	531	17	6
Introduction to ditto	25	17	6
Fœdera Conventiones, printing and paper, &c. (an unfinished volume)	49	19	–
National Historians, printing and paper	909	8	9
Ditto	209	4	3
Ditto	14	11	6
Ditto	195	8	–
Parliamentary Writs and Writs of Military Service, printing and paper	1,381	7	6
Calendar of Records in the Duchy of Lancaster, printing and paper	633	3	6
Ditto	3	16	–
Remuneration awarded by the Report of the Committee of the 27th day of January 1835 to Mr. Robert Pitcairn, for services performed during several years at the General Register House, Edinburgh	700	–	–
£.	4,654	13	6

Actual Debts and Liabilities.

Money borrowed from Messrs. Eyre & Spottiswoode	3,000	–	–
King's Printers' Bills for the following Works completed at press: five volumes of the Proceedings and Ordinances of the Privy Council of England; a volume of Records, selected from the Chapter House; first volume of Rolls of Normandy; the first volume of Fines; the first volume of Excerpts from the Fine Rolls; the two volumes of the Rolls of the Curia Regis; the first volume of the Patent Rolls; the volume of Oblata Rolls, and the 8vo. edition of the Introduction to the Patent Rolls	3,361	16	6
Bills for binding, carriage, postage and other expenses attending the presentation of the publications of the Board, in His Majesty's name, to different libraries, and other repositories at home and abroad	1,806	3	10
Money due to the Bankers and the Secretary (January 15, 1836) about	8,000	–	–
£.	16,168	–	4

[The accounts subsequent to the 12th March 1835, not having been audited or regularly balanced, the exact amount of this last item cannot be stated.]

Amount of debts and liabilities of the old Commission paid and satisfied by the new Board	20,364	14	8
Debts of the old Commission still unpaid	4,654	13	6
Total amount of the debts and liabilities of the Old Commission £.	25,019	8	2
Amount of the present debts and liabilities of the New Board £.	16,168	–	4

Appendix (C.)

No. 3. Receipts, &c. of Commissioners, 1833–35.

(4.)—COST of some of the PRINCIPAL WORKS, published by the present Board, distinguishing what was paid for Printing, Paper, Transcription, Compilation, and Editorship.

	£. s. d.	£. s. d.
A General Introduction to Doomsday Book, by Sir Henry Ellis, 2vols. demy 8vo. 68 sheets, No. 500, at 2 *l.* 11 *s.* 6 *d.*	175 2 –	
Extra for index, Saxon, proofs, labels and corrections	80 11 –	
Used for the above volumes, 68 ½ reams of fine wove demy paper, and for proofs and revises, at 26 *s.*	89 1 –	
		344 14 –
Sir Henry Ellis, for authorship and editorship of the two volumes		300 – –
Total cost £.		644 14 –
Rotuli Litterarum Clausarum in Turri Londinensi Asservati, Vol. I., 210 sheets folio, including half sheet cancelled, No. 500, at 3 *l.* 5 *s.*	682 10 –	
Corrections and deleted matter in the proofs and revises	106 7 –	
Specimen of the work, proofs of the Introduction, engraving on wood, and working in various inscriptions in the title-page	5 10 6	
Used for the 210 sheets, 211 reams of fine wove copy demy paper, and for proofs and revises, at 26 *s.*	274 6 –	
		1,068 13 6
Transcription of Record, being about 11,808 folios of 72 words each, at 4 *d.* per folio		196 16 –
Mr. Thomas Duffus Hardy, for editorship 195 ½ sheets, at two guineas per sheet		410 11 –
Compilation of the index		100 – –
Total cost £.		1,776 – 6
Rotulus Cancellarii, vel Antigrapha Magni Rotuli Pipæ de tertio anno regni Regis Johannis, royal 8vo., 48 sheets, including cancels and appendix not used, No. 250, at 3 *l.* 3 *s.* 6 *d.*	152 8 –	
Five sheets composed, not printed off, at 2 *l.* 14 *s.* 6 *d.*	13 12 6	
Extra for indexes, tables, small letter, proofs and corrections	50 14 –	
Paid for engraving on paper four pages of specimens of Pipe Roll, and printing 500 sets on large royal paper	27 8 –	
Used for the above volume, 24 ½ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	39 4 –	
		283 6 6
Transcription of the Record, 1,664 folios, at 4 *d.* per folio		27 14 8
Mr. Charles Devon, assistance in the editorship		100 – –
Total cost £.		411 1 2

[It was found necessary that this work should be revised by one of the Sub-Commissioners, but no estimate can be formed of the value of that portion of his time which was occupied by such revision.]

Magnus Rotulus Scaccarii vel Magnus Rotulus Pipæ de anno tricesimo primo regni Henrici Primi (ut videtur), royal 8vo., 13 ½ ⅛ sheets, No. 250, at 3 *l.* 3 *s.* 6 *d.*	42 17 3	
Extra for index and corrections, and extra copies	21 18 –	
Used for the above volume, seven reams of fine wove royal paper, at 32 *s.*	11 4 –	
		75 19 3
Mr. Foxton, for transcription of the Roll and for assistance in the editorship		95 6 –
Total cost £.		171 5 3

[The preface was written by Mr. Hunter, who gives his whole time to the Board under the arrangement elsewhere mentioned.]

Proceedings and Ordinances of the Privy Council of England, Vol. I., 38 ¾ sheets, royal 8vo. (including 6 ½ sheets cancels), No. 500, with strong ink and extra manner, at 3 *l.* 1 *s.*	118 19 –	
Extra for index, small letter, brace matter, extra proofs, corrections and labels	85 2 6	
Used 40 reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	64 – –	
		268 1 6
Transcription of the text, 1,450 folios		24 3 4
Compilation of the chronological abstract, 2 ¼ sheets, at 3 *l.* 3 *s.* per sheet		7 1 8
Index, two sheets, at 4 *l.* 4 *s.* per sheet		8 8 –
Sir Harris Nicolas, for editorship		150 – –
Total cost £.		457 14 6

	£.	s.	d.	£.	s.	d.
Proceedings and Ordinances of the Privy Council of England, Vol. II., 29 ¾ sheets, including half sheet cancelled, No. 500, with strong ink and extra manner, at 3 *l.* 1 *s.*	91	10	–			
Extra for index, small letter, brace-matter, corrections and labels	51	12	6			
Used 30 ½ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	48	16	–			
				191	18	6
Transcription of the text, 1,468 folios				24	–	6
Chronological Abstract, 2 ½ sheets				7	17	6
Index, two sheets				8	8	–
Sir Harris Nicolas, for editorship				150	–	–
Total cost			£.	382	14	6
Proceedings and Ordinances of the Privy Council in England, Vol. III., 31 ¾ sheets, royal 8vo., No. 500, with strong ink and extra manner, at 3 *l.* 1 *s.*	97	12	–			
Extra for index, small letter, deleted matter, corrections and labels	47	4	6			
Used 32 ½ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	52	–	–			
				196	16	6
Transcription, folios 1,436				23	18	8
Chronological Abstract, 3 sheets				9	9	–
Index, 1 ½ sheet				6	6	–
Sir Harris Nicolas, for editorship				150	–	–
Total cost			£.	386	10	2
Rotuli Selecti, 23 ¼ sheets, royal 8vo., including 1 ½ sheet cancelled, No. 250, with strong ink and other extra manner, at 3 *l.* 3 *s.* 6 *d.*	74	12	3			
Extra for index, deleted matter, corrections and labels	29	16	–			
Paid for engraving and tracing fac-similes not used	26	15	6			
Used 12 reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	19	4	–			
				150	7	9
Transcript of the text, 1,510 folios				25	3	4
Mr. Charles Devon, for assistance in the editorship				75	–	–
Total cost			£.	250	11	1

[The preface to this work was written by Mr. Hunter, who also performed some other editorial duties upon it.]

Proceedings and Ordinances of the Privy Council, Vol. IV., 35 ¾ sheets (including cancels), No. 500, with strong ink and extra manner, at 3 *l.* 1 *s.*	109	16	–			
Extra for index, small letter, deleted matter, extra proofs and corrections	50	12				
Used 36 ½ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	58	8	–			
				218	16	–
Transcription of the text, 1,428 folios				23	6	–
Chronological Abstract, three sheets				9	9	–
Index, one and a half sheets				6	6	–
Sir Harris Nicolas, for editorship				150	–	–
Total cost			£.	407	17	–
Rotuli Normanniæ, Vol. I., 34 sheets, royal 8vo., No. 500, with strong ink and extra manner, at 3 *l.* 7 *s.* 6 *d.*	114	15	–			
Extra for brace-matter, deleted matter and corrections	31	2	–			
Used 34 ¾ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	55	12	–			
				201	9	–
Transcription of the Rolls, containing about 2,000 folios				33	16	8
Compilation of index				19	13	8
Mr. Thomas Duffus Hardy, for editorship				150	–	–
Total cost			£.	404	19	4

	£.	s.	d.	£.	s.	d.
Fines, Vol. I., 29 ¼ sheets, royal 8vo., No. 500, including cancels, with strong ink and extra manner, at 3 *l.* 5 *s.* 6 *d.*	96	12	3			
Extra for index, deleted matter, corrections, and 250 of three sheets cancelled	45	14	6			
Paid for lithograph printing, paper, and tinting 500 copies	6	4	–			
Used 31½ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	50	8	–			
				198	18	9
Transcription of the text, 1,853 folios				30	17	7
Mr. Charles Devon, for assistance in the editorship				75	–	–
Total cost £.				304	16	4
[The other editorial duties were performed by Mr. Hunter.]						
Excerpta è Rotulis Finium, Vol. I., 39 ¼ sheets, royal 8vo., No. 500, with strong ink and extra manner, at 3 *l.* 7 *s.* 6 *d.*	133	6	3			
Corrections on ditto	37	19	–			
Used 40 reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	64	–	–			
				235	5	3
Transcription, 3,030 folios				50	10	–
Compilation of index, 7 ½ sheets, at 4 *l.* 4 *s.* per sheet				31	10	–
Mr. Charles Roberts, for editorship				150	–	–
Total cost £.				467	5	3
Rotuli Curiæ Regis, 2 Vols., 72 ¾ sheets, royal 8vo. (including cancels), No. 500, with strong ink and extra manner, at 3 *l.* 5 *s.* 6 *d.*	239	1	6			
Corrections on ditto	125	2	–			
Paid for engraving, printing, and paper	23	16	6			
Used 74 reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	118	8	–			
				506	8	–
[These two volumes having been edited and transcribed by Sir Francis Palgrave and his clerks, who have all fixed salaries, and are constantly engaged in various work of a miscellaneous description, no further particulars of their cost can be given.]						
Rotuli Litterarum Patentium, Vol. I., Pars I., 89 sheets demy folio, No. 500, with strong ink and extra manner, at 3 *l.* 2 *s.*	275	18	–			
Extra for table, brace-matter, extra proofs, and corrections	103	11	–			
Used 90 reams of fine wove demy paper, and for proofs and revises, at 26 *s.*	117	–	–			
				496	9	–
Itinerarium Henrici Tertii Regis, 6 ½ sheets, No. 490	10	9	–			
Ruling ditto with faint lines	–	5	6			
Used 6 ½ reams of fine writing foolscap, at 23 *s.*	7	9	6			
				18	4	–
Transcription of the Rolls, about 3,600 folios				60	–	–
Compilation of the Index				103	–	6
Mr. Thomas Duffus Hardy, for editorship, 69 sheets, at 2 *l.* 2*s.* per sheet				144	18	–
Total cost £.				822	11	6
[A further claim has been made for writing the Preface and framing the Itinerary.]						
Rotuli de Oblatis, royal 8vo., 53 sheets, No. 500, with strong ink and extra manner, at 3 *l.* 6 *s.* 6 *d.*	176	4	6			
Extra for deleted matter and corrections	42	1	–			
Used 54 reams of fine wove royal paper, and the proofs and revises, at 32 *s.*	86	8	–			
				304	13	6
Transcription of text, about 3,398 folios				56	12	8
Compilation of index				38	–	–
Mr. Thomas Duffus Hardy, for editorship				150	–	–
Total cost £.				489	6	2

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	£.	s.	d.	£.	s.	d.
Proceedings and Ordinances of the Privy Council, Vol. V., 42 ½ sheets (including six pages cancelled), No 500, with strong ink and extra manner, at 3 *l.* 1 *s.*	129	12	6			
Extra for index, small letter, deleted matter, corrections, labels, and 25 extra of five sheets of the Appendix	100	19	6			
Paid for cutting a diagram on wood	–	13	9			
Used 43 ¼ reams of fine wove royal paper, and for proofs and revises, at 32 *s.*	69	4	–			
				300	9	9
Transcription, 1,764 folios				29	–	–
Chronological Abstract, three sheets				9	9	–
Index, two sheets				8	8	–
Sir Harris Nicolas for editorship				150	–	–
Total cost £.				497	6	9

[In the printed volume of the Proceedings of the Board, pages 86–89, is a detailed estimate from which a judgment may be formed of the saving effected by the change in the form of printing, as well as of the reduction in the charges for transcription and editorship. The ordinary charge for copying common writing was formerly three times that now allowed for copying the most difficult record. In the instance alluded to, the sum of 2,626 *l.* was paid for transcription and editorship, when according to the system laid down and acted upon by the present Board, 150 *l.* would have been an ample remuneration.]

(5.)—NAMES of the Sub-Commissioners, Editors, Clerks, Transcribers, Workmen, and other Persons, who were in the employ of the Board on the 31st of December 1835; together with a Statement of their Salaries, Wages or other Remuneration.

Sir Francis Palgrave, editor of the Rolls of the Curia Regis and other works. A sub-commissioner. He receives such yearly sum as with the salary of 400 *l.* and fees to which he is entitled as keeper of the Records at the Chapter House, will make up the net income of 1,000 *l.* per annum.

Mr. Charles Devon (Chapter House, Westminster). He receives at the rate of 4 *d.* per folio for transcripts made by him out of office hours or on holidays, and has no other allowance for extra attendance, but he receives at the same rate for transcripts made by a clerk whom he employs.

Mr. Frederick Devon (Chapter House and Westminster). He receives an allowance of two guineas per week for attendance out of office hours and on holidays; he has been employed also in making fair transcripts of calendars in the evening at his own house, and in extracting and sorting index matter; his charge for transcripts is 4 *d.* per folio; and for other work which cannot be calculated by the folio, he receives according to the nature thereof.

—— Bevans, the messenger at the Chapter House. He receives at the rate of 9 *d.* per hour for attendance out of office hours; he is employed in such extra time in washing and cleaning Records.

Mr. J. T. Jowett, and Mr. J. Burtt, clerks of Sir Francis Palgrave and the Commission; they are engaged on the general business of the Chapter House Record Office, in sorting, arranging and stamping Records, &c., and in making transcripts, &c., for the works carried on under Sir Francis Palgrave's direction, at the following salaries, viz. Mr. J. T. Jowett, 63 *l.*, Mr. J. Burtt, 50 *l.*

The Reverend Joseph Hunter, editor of the Pipe Rolls, and other works. A sub-commissioner. At present he gives his whole time to the business of the Commission, with the understanding that in no year is his remuneration to exceed 450 *l.*

Mr. Francis Lestock Hunter, clerk to the Reverend Joseph Hunter. His salary is 40 *l.* a-year.

Sir Harris Nicolas, editor of the Acts of the Privy Council. He receives 150 *l.* per octavo volume; five volumes are completed at press.

Mr. Baker, clerk to Sir H. Nicolas. He transcribes the above work for the press, at the rate of 4 *d.* per folio; he compiles the Chronological Abstract, for which he receives 3 *l.* 3 *s.* per sheet, and the indexes, for which he receives 4 *l.* 4 *s.* per sheet.

Sir Henry Ellis, editor of a volume of Records, supplemental to Doomsday Book, consisting of territorial surveys to the time of King John; also, of a Territorial Survey of Lands in Wales at the time of King Edward the 3d. [No?] sufficient progress as to the rate of remuneration.

Mr. Joseph Stevenson, formerly in the department of Manuscripts, British Museum. He is engaged under the direction of the Secretary, in forming a Catalogue of the Miscellaneous Documents in the Tower, and in transcribing for the press the Ancient Correspondence there; salary, 250 *l.* a year. He is also employed at extra hours in preparing and passing through the press an Abstract of the Materials transcribed for the new edition of the Fœdera, for which he receives 5 *l.* 5 *s.* per octavo sheet.

Appendix (C.)

No. 3.
Receipts, &c. of Commissioners, 1833-35.

Clerks in the employment of Mr. Stevenson at the Tower, 30 December 1835: Mr. Hamilton receives 100 *l.* per annum, Mr. Bond, 80 *l.* Mr. Birch, 40 *l.* Mr. Bond attends from 10 till 3 o'clock, the others from 10 till 4.

Mr. Charles Roberts (Record-office, Tower of London), compiler and editor of the Calendarium Hæredum, designed to supply the deficiencies of the five volumes of the Inquisitions Post Mortem. He will receive two guineas and a half per sheet (large folio, with three columns in each page) for compiling from the original Inquisitions, and two guineas per sheet for editorship. He is also editor of the Excerpts from the Fine Rolls of the reign of Henry the 3d, for which work he receives 4 *d.* per folio for transcription, 150 *l.* per volume for editing the text and writing the preface, and 4 *l.* 4 *s.* per sheet for compiling the index.

Mr. Thomas Duffus Hardy (Record-office, Tower of London). He is employed by the Secretary under an order of the Board, dated 17 May 1834, directing that the earliest of each series of Rolls at the Tower, as the Patent, the Almain, the Roman, the Norman, the Gascon, &c., should be sent to the press, the advance of the printing to be regulated by the amount of the funds that might be placed at the disposal of the Board, and the expense of the other operations carrying on. Mr. Hardy's rate of payment is as follows: octavo volumes, editorship, 150 *l.* a volume; folio volumes, editorship, 2 *l.* 2 *s.* per sheet. In both cases, the transcripts are paid for at the rate of 4 *d.* per folio, and the money out of pocket only is allowed for compiling the indexes. A question has arisen as to the remuneration for prefaces to the folio volumes. In future no remuneration will be allowed unless under very special circumstances.

Mr. Benjamin Thorpe, editor of the Anglo-Saxon Laws. In May 1834 he undertook to prosecute and complete this work for a gross sum of 600 *l.*, of which 50 *l.* is to be advanced quarterly until 400 *l.* shall be paid, but the remaining 200 *l.* is not to be paid until the entire work shall be finished at press.

Mr. Aneurin Owen, editor of the Ancient Welch Laws, under the order of the Board, dated 17 May 1834. This order gives him for the task the sum of 600 *l.*, of which 50 *l.* is to be paid every three months during two years, beginning the — May 1834, and the remainder upon the work being finished at press.

J. S. Brewer, esq. (Queen's College, Oxford). He is engaged in forming catalogues of certain manuscripts in the Bodleian Library and in the libraries of different Colleges at Oxford. His remuneration varies with the length and nature of the catalogue.

Mr. William Henry Black. The nature of his present employment has been already minutely described. He is to receive the sum of 300 *l.* for his whole time, from July 1835 to July 1836.

Clerks of Mr. Black: Mr. Walter Nelson, Mr. Henry Charles Hertslet, Mr. Thomas Green and Mr. Benjamin Noakes. Each receives a salary of 40 *l.* a year. The three former are principally employed in copying the Manuscript Collectanea of Rymer at the British Museum.

Mr. Julius Drescher, salary, 80 *l.* per annum. Mr. Drescher is at present principally engaged in assisting the Secretary in passing through the press portions of the Appendixes to the Report upon the Fœdera, and the materials for early English History in foreign libraries and archives.

Mr. George Smith. He pays the wages of the persons in the weekly employ of the Board, the tradesmen's bills, &c. &c. He also keeps the accounts, &c. &c. For this trouble he is allowed the yearly sum of 55 *l.*

William Henry Bennett. His time is wholly occupied in fair copying, &c. the letters written or dictated by the Secretary. He receives 1 *l.* 5 *s.* a week.

Daniel Richardson, porter and messenger, 1 *l.* per week.

Mary Smith, laundress, 20 *l.* a year.

NAMES of the Persons Employed under the Orders of the Secretary, at the Augmentation Office and elsewhere, in Cleaning, Sorting and Repairing the Records, with a Statement of their Weekly Wages.

	Wages per Week.		
	£.	*s.*	*d.*
G. Gay, senior	2	2	–
J. Blayney	1	5	–
W. Hall	1	5	–
H. Mogford	1	–	–
W. Goodenough	1	5	–
H. Gay	1	5	–
H. Barber	1	5	–
R. Hanney	1	–	10
P. Paul	1	5	–
W. Y. Finley	1	2	6
R. Toovey	1	2	6
C. Gay, junior	–	12	–
A. Gay	–	12	–
R. Martin	1	5	–

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(6.)—LIST of Works Printed, Compiled and Transcribed under the Direction of the Record Board, since March 1831; and also of those now in progress.

Appendix (C.)
No. 3.
Receipts, &c. of Commissioners, 1833–1835.

A General Introduction to Doomsday Book, accompanied by Indexes of the Tenants in Chief and Undertenants at the time of the Survey, as well of the Holders of Land mentioned in Doomsday, anterior to the formation of that Record, with an Abstract of the Population of England at the close of the Reign of William the Conqueror; 2 vols. 8vo. (Published).

A volume of Miscellaneous Records, selected from the Chapter House. Contents: Rotulus Litterarum Patentium de Anno Regni Regis Johanis Septimo; Transcripta Litterarum Patentium Hiberniæ temporibus Regum Henrici Quinti et Sexti, Placita (anno 52° Regis Henrici Tertii) de terris datis et occupatis occasione Turbacionis in Regno Angliæ; 8vo. (Published.)

Third Volume of the Calendars to the Proceedings in Chancery in the Reign of Queen Elizabeth; folio. (Published).

Third Volume of the Calendar to the Records of the Duchy of Lancaster, in the Reign of Queen Elizabeth; folio. (Published).

Division 3 of Vol. 2 of the Parliamentary Writs, &c. in the reign of Edward 2d; folio. (Published.)

Rotuli Litterarum Clausarum in Turri Londinensi asservati, ab anno 1204 ad annum 1224; folio. (Vol. 1, published; vol. 2, printing).

The Chancellor's Roll, or Antigraph of the Great Roll of the Pipe of the 3d year of King John, preserved in the Chapter House, Westminster; 8vo. (Published).

Rotulus Magnus Pipæ de Anno Tricesimo Regis Henrici primi, commonly called the Roll of Stephen; 8vo. (Published).

Proceedings and Ordinances of the Privy Council in the Reigns of Richard 2 and Henry 4, Henry 5 and Henry 6. (Five volumes are published, two more volumes are in the press).

Appendix and General Index to the Valor Ecclesiasticus, temp. Henry 8; folio. This forms the sixth and concluding volume of the work; folio. (Published).

An Introduction to the Valor Ecclesiasticus of King Henry 8, with a Map of England and Wales, showing the distribution in Dioceses; 8vo. (Published).

Rotuli Normanniæ in Turri Londinensi asservati, Johanne et Henrico V. Angliæ Regibus; 8vo. vol. 1. (Published).

Excerpta è Rotulis Finium in Turri Londinensi asservati, Henrico Tertio Rege; 8vo. (Vol. 1 published; vol. 2, printing).

Rotuli de Oblatis et Finibus in Turri Londinensi asservati, Tempore Regis Johannis; 8vo. (Published).

Fines sive Pedes finium sive finales Concordiæ in Curiâ Domini Regis, A. D. 1195–1214: 8vo. (The first volume is published, the second volume is in the press).

Rotuli Curiæ ac Justiciarorum Regis of the Reigns of Richard 1 and John, preserved at the Chapter House; 2 vols. 8vo. (Published).

Rotuli Litterarum Patentium in Turri Londinensi asservati, A. D. 1201–1216; folio. (Published).

A Description of the Patent Rolls, and an Itinerary of King John; 8vo. (Published).

An Account of the most important Records of Great Britain and the Publications of the Record Commissioners, together with other Miscellaneous, Historical and Antiquarian information; 2 vols. 8vo. (Published. This work has for some time been out of print).

Sir Francis Palgrave's Essay on the origin of Equitable Jurisdiction, as deduced from the ancient transactions of the High Court of Parliament; 8vo. (Published.)

A Proposal for the erection of a General Record Office, Judges' Hall and Chambers, and other Buildings, on the Site of the Rolls Estate; 8vo. (Published.)

Papers relative to the project of building a General Record Office, with Plans; 8vo. (published)

Proceedings of His Majesty's Commissioners on the Public Records of the Kingdom; June 1832, August 1833. This volume contains numerous Extracts from the Early Wardrobe Accounts, the Memoranda Rolls, the Placita Curiæ Regis, the Early Fines, &c., and Copies of numerous short Ancient Records and Documents; folio. (Published.)

Selections from the Miscellaneous Records of the Office of the King's Remembrancer of the Exchequer; folio. These Selections are intended to form an Appendix to the next volume of the Proceedings of the Board; folio (printed).

Questions circulated under the authority of His Majesty's Commissioners on the Public Records of the Kingdom, with the view of procuring Information respecting Records, Manuscripts, &c. in the possession of Corporations and Individuals, illustrative of the History and Antiquities of England and Ireland, the Isle of Man, and the Norman Isles; folio, pp. 26.

La Commission des Archives d'Angleterre aux Savans et Antiquaires Français; 8vo. (published.)

Die Archiv-Commission Gross-britanniens an die Alterthumsforscher Deutschlands und des nordlichen Europas; 8vo. (Published.)

Memoria da Commissão dos Arquivos da Gran-Bretanha dirigida aos Cartorarios, Bibliothecarios, e Antiquarios de Portugal, pelo que respeita aos trabal hos; e exames da mesma Commissao; 8vo. (Published.)

Modus Tenendi Parliamentum, 8vo. (Printed.)

Manuscript containing a series of Docquets of all Commissions, Grants of Honours, Pardons, and other Patents of Charles I. while he was at Oxford, from 28th November 1642 to the 11th June 1646. This Manuscript is amongst the collections of Sir William Dugdale, in the Library of the Ashmolean Museum. Oxford; 8vo. (Printed, and will shortly be published.)

The Ancient Calendars and Inventories of the Treasury, Vol. 1, containing Bishop Stapleton's Calendar, the Memoranda of the Treasury of the Reign of Edward III, and illustrative Records. (Printed, and will shortly be published.)

The like, Vol. 2, containing the Memoranda of the Treasury for the Reigns from Richard II. to Henry VI. inclusive, Inventories of the Plate and Jewels in the Treasury at different periods, and Agard's Compendium. (Printed, and will shortly be published.)

The like, Vol. 3, containing the Memoranda of the Treasury from Edward IV. to Henry VIII. inclusive;

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Receipts, &c. of Commissioners, 1833-35.

inclusive; the Indentures and Writs of Deposit and Transmission, from Edward I. to George II., and illustrative Documents. (Printed, and will shortly be published.)

Catalogue of Documents from the Year 790 to the Close of the 15th Century, preserved in the Archives of France, Hotel Soubise, Paris; List of Manuscripts and Documents connected with British History and Literature, in the Libraries and Archives of Germany, Switzerland, &c.; 8vo. (Printed. These form part of the Appendixes to the Secretary's Report on the plan to be adopted in the continuation of the new edition of Fœdera, &c.)

Specimens of Catalogues, or Inventories of Records, namely: A Calendar of the Surveys of the Estates of King Charles the First, his Queen, and the Prince of Wales, taken pursuant to Ordinances of Parliament in the time of the Commonwealth (in the Augmentation Office); Original Surrenders made by certain Religious Houses, now extant in the Augmentation Office; Catalogue of Records remaining in the Office of the King's Remembrancer of the Exchequer; List of Ministers' Accounts for Bedfordshire and Berkshire, in the Augmentation Office; folio. (Printed.)

New Edition of the Ancient Welsh Laws; in folio and in 8vo. (Printing.)

Inedited Documents relating to and elucidating the Ancient History of Scotland; Alexander 3d to Robert 1st; Vol. 1, 8vo. (Printing.)

The Third Volume of the Rolls of the Curia Regis of the Reign of King John; 8vo. (Printing.)

Magnus Rotulus Pipæ de Anno Secundo Regis Henrici Secundi; 8vo. (Printing.)

Magnus Rotulus Pipæ de Anno Primo Regis Ricardi Primi; 8vo. (Printing.)

Abstract or Catalogue of all Diplomes, Royal Letters, and other documents, transcribed for the Supplement to Rymer's Fœdera; 8vo. (Printing.)

The Liberate Rolls of the Reigns of John and Henry the 3d; 8vo. (Printing.)

The Charter Rolls of the Reigns of John and Henry the 3d; folio. (The text of the First Volume is printed.)

The Gascon Rolls, commencing with the 26th year of Henry the 3d, and ending with the 39th year of Henry the 6th; folio. (Printing.)

A volume of Records, Supplemental to Doomsday Book, consisting of Territorial Surveys to the time of King John; folio. (Printing.)

A Territorial Survey of Lands in Wales, to the time of King Edward 3d; folio. (Printing.)

Materials for the History of Britain; folio. The First Volume is printed, with the exception of the Prolegomena; the principal Contents are, Gildas, Nennius, Bede, the Saxon Chronicle, the Welsh Chronicle, Asser, Athelweard's Chronicle, Florence of Worcester, Henry of Huntingdon, Simeon of Durham, &c. (The prosecution of this Work has been suspended for some months.)

Calendars of the Assize, Plea, Iter, Coronatoria, and other Judicial Rolls in the Record Office of the Treasury of the Exchequer. (Preparing for the press.)

Calendars of the Inquisitions Post Mortem, and Privy Seals, in the same Repository. (Preparing for the press.)

The Great Roll of Normandy, of the Reign of Henry 2d. (Preparing for the press.)

New edition of the Anglo-Saxon Laws; in folio and 8vo. (Preparing for the press.)

Memoranda de Traditione Magni Sigilli Angliæ è Rotulis Cancellariæ excerpta; 8vo. (Transcribed for the press.)

Appendix to the volume of Nonæ Rolls. (Transcribed for the press.)

Petitions in Chancery of the Reigns of Edward 3d, Richard 2d, Henry 4th, Henry 5th, Henry 6th, and Edward 4th. (Transcribed for the press.)

Appendix to Four Volumes of the Inquisitions Post Mortem, preserved at the Tower. (This is the Calendarium Hæredum; considerable progress has been made in this compilation; no part is yet printed.)

Letters of Frederic, Elector Palatine and King of Bohemia, to his wife Elizabeth, daughter of James the 1st; written between the years 1612 and 1632. (Transcribed.)

Ancient Historical Records and Documents in the possession of the Corporation of Salisbury. (Transcribing.)

Catalogue of the Inedited Manuscripts and Papers illustrative of the General and Local History of the Country, preserved in the Bodleian Library at Oxford, and not described in any printed work. (Compiling.)

Foreign State Letters in the Tower of London, being Letters from the Kings of France and Spain, the Kings of the Romans, the Dukes of Norway, and the Earls of Holland and Flanders, addressed to the Kings of England, and written during the period that elapsed from the beginning of the Reign of Henry 3d to the end of the Reign of Richard 3d. (A considerable number transcribed for the press.)

French Rolls, commencing with the 16th Year of Henry the 3d, and ending with the Reign of Edward the 4th. (Partly transcribed for the press.)

Miscellaneous unarranged Records at the Tower of London. An Abstract or Catalogue is framing; a selection of the most curious will be transcribed, and printed.

A Calendar of Orders and Decrees in the Court of Augmentations, from the Feast of St. George, in 28 Henry 8th, to the end of the Reign of Edward 6th. This Calendar is framed from the Inrolment Books in the custody of the Second Secondary of the King's Remembrancer in the Exchequer. (A fair copy in two large volumes folio has been placed in the British Museum for public use, where they are numbered 9781 and 9782, in the Catalogue of "Additional Manuscripts.")

A Calendar or Catalogue of the Records in the Augmentation Office, according to the new arrangement of them. (Manuscript.)

A Catalogue of the Miscellaneous Manuscripts and Records in the Custody of the King's Remembrancer of the Exchequer, arranged as far as is practicable in Chronological Order. This contains numerous articles, the existence of which was lately quite unknown. (Manuscript.)

A Calendar of the numerous documents entered in the Office Book of the Exchequer, known by the name of the Liber Rubeus, or the Red Book of the Exchequer, with an Account of the other Contents of that volume. (Manuscript.)

A Calendar of the Documents, and an account of the other matters contained in the Liber de Antiquis Legibus; a Manuscript in the possession of the Corporation of the City of London, and historically the earliest and most important Manuscript possessed by them. (Manuscript.)

A full and minute Catalogue of the Manuscripts, 121 in number, which were bequeathed by Sir Matthew Hale to the Honourable Society of Lincoln's Inn, and preserved in their Library. Amongst these

these Manuscripts are several volumes made up of papers written or collected by Selden; numerous volumes of Transcripts of Records, Year Books, and Reports, many of which have never been printed; Chronicles, and other Historical and Juridical Writings. These Manuscripts are very little known, chiefly owing to the restrictions which the Learned Judge imposed upon the Society, in respect of the use of them. (Manuscript.)

A similar Catalogue of a Collection of Manuscripts, Historical, Record, and Legal, made by Mr. Serjeant Maynard, 87 Volumes. These are also in the Library of Lincoln's Inn. (Manuscript.)

A similar Catalogue of the remaining Manuscripts in that Library, 271 Volumes, many of which are only Modern Reports or Notes of Cases; but amongst them are many volumes of great curiosity and value. (Manuscript.)

An Abstract of Ecclesiastical Surveys made during the Commonwealth, now in the Archives of the Archbishop of Canterbury, at Lambeth, bound in 24 large Volumes. These Surveys are,

1. Of Lands and other Possessions belonging to the Bishops and to the Deans and Chapters.
2. Of the State of the Parishes in respect of Spiritual Superintendence, Ministers' Maintenance, &c., with Suggestions in respect of the Union or Division of Parishes. The Surveys of this class are not complete. (This Abstract remains in Manuscript.)

An Account of the Manuscripts in the Public or University Library at Cambridge, which relate to Records, Law, or History, formed for the most part from the unpublished Catalogue of them made by Nasmith. (Manuscript.)

A similar Account of the Manuscripts of the same Classes in the Libraries of the several Colleges of that University. (Manuscript.)

A minute and full Account of the Contents of the 161 Volumes of Record, Charter, Legal and Historical Collections made by Dodsworth, an Antiquary of the former half of the 17th Century, now in the Bodleian Library at Oxford. These Volumes contain an immense number of Transcripts from the Public Records both of Chancery and the Exchequer, as they existed two Centuries ago, and from Charters both Public and Private, which no longer exist. (Manuscript.)

Catalogues of the Manuscripts in the Libraries of All Souls, Queen's, New College, and other Colleges in the University of Oxford, intended to supply the deficiencies of the only printed Catalogues of the Manuscripts in those Libraries; namely, those in the Folio Volume entitled "Catalogi MSS. Angliæ et Hiberniæ," published in 1697. (Manuscript.)

Catalogue of the Manuscripts and State Papers belonging to the Most Noble the Marquis of Salisbury, at Hatfield House. Vol. 1, Miscellaneous MSS. and Papers; Vol. 2, Letters, particular and general Arrangement, to 1597; Vol. 3, Letters, general Arrangement, 1597 to 1602; Vol. 3, Letters, general Arrangement, 1602–3 to 1643. (Transcribed by permission of Lord Salisbury.)

The Letters Missive, in the Tower, sent by the King to the Lord Chancellor, ordering the execution of various Mandates. They extend from the Reign of Richard the 2d to that of Richard the 3d, inclusive, relate solely to Domestic Affairs, are all written in English, upon paper; and if printed, would occupy 3 vols. 8vo. (Transcribed for the press.)

An immense mass of transcripts, diplomes, letters and other public documents, from the Archives and Libraries of Paris, Lille, Ghent, Bruxelles, Antwerp, St. Omer, Hamburgh, Königsberg, Dresden, Munich, Stuttgard, Vienna, St. Gall, Rome, Lisbon, &c. &c. These will be for the most part used for the Supplement to Rymer's Fœdera.

Manuscript Collectanea of Rymer in the British Museum. The transcription is complete to the end of the reign of Henry the Fourth. There are also two volumes of the reign of Elizabeth transcribed, and two or three volumes of the reign of Henry the Fifth are in the course of transcription.

Besides the foregoing Works, various Reports and Papers have been printed for the private use of the Board; the principal of which are,

Mr. Illingworth's Observations on the Public Records of the Four Courts at Westminster, and on the Measures recommended by the Committee of The House of Commons, in 1800, for rendering them more accessible to the Public; 8vo.

Observations on the Calendars of the Proceedings in Chancery, and on the Parliamentary Writs; 8vo.

Report of the Committee on the Utility and Expediency of Collecting and Publishing the Constitutional Records, from the Conquest to the Accession of Edward I.; 8vo.

Report of the Committee on the Mode of Remunerating the Sub-Commissioners; 8vo.

Letter from the Right Rev. the Bishop of Llandaff to the Right Honourable The Speaker, upon the Parliamentary Writs; 8vo.

Letter from Mr. Protheroe, one of the Commissioners, addressed to the Secretary, upon the Continuation of the Parliamentary Writs; 8vo.

Report of the Committee on the Calendars of the Proceedings in Chancery in the Reign of Queen Elizabeth; 8vo.

The Bill of John Bayley, Esq., Principal Clerk in the Record Office at the Tower, for Searches, Office Copies, &c. of Records relative to the Claim of the Corporation of Liverpool to the Town Dues; folio, pp. 32.

Correspondence of the Secretary with Thomas Thomson, Esq., Deputy Clerk Register; Memorial of Robert Pitcairn, Esq., Writer to the Signet; Reports of the Deputy Clerk Register, from 1822 to 1831; 8vo.

Appendix (C.)

No. 3.
Receipts, &c. of Commissioners, 1833-35.

(No. 7.)—LIST of the LIBRARIES and other REPOSITORIES to which Copies of the PUBLICATIONS of the Board, in the whole or in great part, have been presented in His Majesty's Name; arranged betically in three Classes; viz.: those in,

I.—The British Islands.
II.—The British Dependencies and Colonies.
III.—Foreign States.

An asterisk (*) is prefixed to those Libraries and Repositories which have received them in pursuance of Grants made under the Commission which bears date March 12, 1831.

I.—THE BRITISH ISLANDS.

*Aberbrothock (Arbroath), the Subscription Library.
*Aberdeen, the Library of the Society of Advocates.
— New, the Library of Marischal College.
— Old, the Library of King's College.
*Alloa, the Sheriff Clerk's Office.
*Alnwick, the Subscription Library.
*Annan, the Archives of the Royal Burgh.
*Antrim, the Public Sessions House.
Argyll. *See* Inverary.
Armagh, the Cathedral Library.
*Ayr, the Library of the Book Society.
* — the Library of the Mechanics' Institution.
*Ballinrobe, the County (Mayo) Court-house.
*Bandon, the Public Library.
*Banff, the Library of the Institution for Literature, Science and the Arts.
Bangor, the Cathedral Library.
Bath, the Library of the Literary and Scientific Institution.
*Beaumaris, the Corporation Library.
*Bedford, the Subscription Library.
*Bedford Level, the Library of the Corporation of the.
*Belfast, the Library of the Society for Promoting Knowledge.
*Berwick-upon-Tweed, the Subscription Library.
*Beverley, the Corporation Library.
*Birmingham, the Law Library.
— the Subscription Library.
*Blackburn, the Subscription Library.
*Bolton-le-Moors, the Subscription Library.
*Boston, the Permanent Library.
* — the Subscription Library.
*Bradford (Yorkshire), the Subscription Library.
*Bridgnorth, the Borough Library.
*Bridgwater, the Office of the Town Clerk.
*Bridport, the Institution Library.
*Brighton, the Town-hall.
Bristol, the Cathedral Library.
— the Subscription Library.
*Burslem, the Subscription Library.
*Bury (Lancashire), the Subscription Library.
*Bury Saint Edmunds, the Guildhall.
Caithness-shire. *See* Wick.
Cambridge University; viz.
The University Library.
The Library of
Catherine Hall.
Christ's College.
Clare Hall.
Corpus Christi College.
Downing College.
Emanuel College.
Gonvil and Caius College.
Jesus College.
King's College.
Magdalen College.
Pembroke Hall.
Queen's College.
Saint John's College.
Saint Peter's College.
Sidney Sussex College.
Trinity College.
Trinity Hall.
Canterbury, the Cathedral Library.
— the Library of the Archbishop, Lambeth.
* — the Library of the Philosophical and Literary Institution.
*Cardiff, the County Record Office.
Carlisle, the Cathedral Library.
— the Library of the Bishop, Rose Castle.
— the Office of the Clerk of the Peace.
*Carlow, the Court-house.
*Carmarthen, the Shire-hall.
*Carnarvon, the Borough Library.
*Carrickfergus, the Corporation Library.
*Carrick-on-Shannon, the County Court-house; not yet sent.
*Cashel, the Office of Public Records for the Corporation.
*Cavan, the Office of the Clerk of the Peace.
*Chatham and Rochester, the Library of the Philosophical and Literary Institution.
Chester, the Cathedral Library.
* — the Old City Library.
Chichester, the Cathedral Library.
* — the Subscription Library.
*Chippenham, the Council-chamber of the Corporation.
*Cirencester, the Permanent Public Library.
*Cockermouth, the Subscription Library.
*Coleraine, the Subscription Library.
Cork, the Library of the Royal Institution.
Cornwall. *See* Truro.
Coventry, the Subscription Library.
*Cricklade, the Office of the High Bailiff.
Cupar, Fife, the Public Library.
Denbigh. *See* Ruthin
*Derby, the Corporation Library.
* — the County Hall.
*Devonport, the Public Library.
Devonshire. *See* Exeter.
*Dingwall, the Office of the County Clerk of Rossshire.
*Dollar, the Library of the Institution.
Doncaster, the Subscription Library.
Donegal. *See* Letterkenny.
*Dorchester, the County Hall.
*Downpatrick, the Office of the Clerk of the Peace.
*Drogheda, the Society Library.
Dublin, Academy, the Library of the Royal Irish.
— the Castle Library.
— the Cathedral Library, Christ Church.
— the Cathedral Library, St. Patrick.
— Dublin Society, the Library of the.
— King's Arms, the Library of the.
* — the Ordnance Survey-office.
* — the Record-office, Custom-house.
— the Record Tower at the Castle.
* — the Library Society's Library.
— Stevens' Hospital, the Library of.
— Trinity College Library.
— Ulster King of Arms, the Office of the.
*Dumbarton, the Dumbartonshire County Library, Court-house.
*Dumfries, the Burgh Library and Record.
* — the Office of the Sheriff Court of Dumfries-shire.

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Appendix (C.)

No. 3
Receipts, &c. of Commissioners, 1833–35.

*Dundalk, the Library of the Literary Society.
*Dundee, the Public Library.
Durham, the Cathedral Library.
— the Library of the Bishop, Bishop's Auckland.
* — the University Library.
Edinburgh, Advocates, the Library of the Faculty of.
— Lord Lyon King of Arms, the Office of the.
* — Physicians, the Library of the Royal College of.
— The General Register-house.
— Solicitors, the Library of the Corporation of.
* — the Subscription Library.
— the University Library.
— the Writers to His Majesty's Signet, the Library of.
*Elgin, the Record-office of the Shire.
Ely, the Cathedral Library.
* — the Consistory Court.
*Ennis, the Corporation Library.
*Enniskillen, the Court-house.
Eton, the College Library.
*Evesham, the Subscription Library.
Exeter, the Cathedral Library.
— the Library of the Devon and Exeter Institution.
*Falmouth, the Subscription Library.
*Fortrose, the Subscription Library.
*Frome, the Public Library.
*Galway, the Subscription Library.
Glasgow, the Library of the University.
* — the Library of the Andersonian University.
* — the Sheriff's Office.
Gloucester, the Cathedral Library.
* — the Office of the Clerk of the Peace.
* — the Permanent Library.
*Godmanchester, the Corporation Library.
*Grantham, Dean Newcome's Library.
*Greenock, the Subscription Library.
*Guilford, the Council-chamber,
*Haddington, Gray's Library.
* — the Sheriff's Office.
*Halifax, the Library of the Philosophical and Literary Society.
*Handley, the Subscription Library.
*Harrow, the School Library.
*Harwich, the Archives of the Borough.
*Henley-upon-Thames, Dean Aldrich's Library.
Hereford, the Cathedral Library.
* — the County Library.
*Hertford, the Library of the Hertfordshire Literary Society.
— the Library of the East India College.
*Honiton, the Borough Library.
*Huddersfield, the Subscription Library.
Hull, the Subscription Library.
*Huntingdon, the Public Library.
*Jedburgh, the Public Subscription Library.
*Inverary, the Library of the Sheriff Court of the County of Argyll.
*Inverkeithing, the Subscription Library,
*Inverness, the Inverness-shire Library.
*Ipswich, the Corporation, for the use of the County of Suffolk.
*Kidderminster, the Public Library.
*Kilkenny, the Society's Library.
Kincardineshire. *See* Stonehaven.
*Kirkcudbright, the Steward's Office.
* — the Subscription Library.
*Kirkwall, the Orkney Library.
*Knaresborough, the Subscription Library.
*Lampeter, the Library of St. David's College.
*Lancaster, the Subscription Library.
Leeds, the Subscription Library.
*Leicester, the Town Library.
*Letterkenny, the Office of the Clerk of the Peace for the County of Donegal.
*Lewes, the Subscription Library.
Lichfield, the Cathedral Library.
* — the Subscription Library.
*Lifford, the Public Court-house.
*Limerick, the Library of the Institution.
Lincoln, the Cathedral Library.
* — the Grand Jury-room.
*Linlithgow, the County Library.
* — the Library of the Council-chamber.
*Lisburn, the Library.
*Liskeard, the Public Library.
*Liverpool, the Athenæum.
* — the Corporation Library.
— the Library of the Royal Institution.
* — the Law Library.
* — the Public Library, founded in 1753.
Llandaff, the Cathedral Library.
London, Antiquaries, the Library of the Society of.
— Arms, the Library of the College of.
* — Arts, Manufactures and Commerce, the Library of the Society for the Encouragement of, Adelphi.
— Auditors of the Land Revenues, the Office of the; now dissolved.
— the Augmentation Office.
* — Belgrave Literary and Scientific Institution, the Library of the.
— the Cathedral Library.
— the Library of the Bishop, Fulham.
— the Chapter House, Westminster.
* — Clarence Literary Society, the Library of the.
— Commons, House of, the Library.
— Cornwall, the Office of the Duchy of.
— the Corporation Library, Guildhall.
— Doctors' Commons, the Library of.
* — East India Company, the Library of the
* — Exchequer, the Library of the Court of.
— — the Office of the King's Remembrancer.
— — the Office of the Lord Treasurer's Remembrancer; abolished
— the First Fruits Office.
— Gray's Inn, the Library of the Honourable Society of.
— the Irish Office.
* — Irish Society, the Office of the, Guildhall.
* — the King's Library.
* — King's College, the Library of.
— Lancaster, the Office of the Duchy of.
— Law Society, the Library of the Incorporated.
— Lincoln's Inn, the Library of the Honourable Society of.
— London Institution, the Library of the, Moorfields.
— Lords, House of, the Library.
* — Mary-le-bone Literary and Scientific Institution, the Library of the.
— Museum, British, the Library of the.
— — the Royal Library.
* — the Ordnance Office.
* — Poor Law Commissioners, the Office of the.
— the Rolls Chapel.
— Royal Institution, the Library of the, Albemarle-street.
— Royal Society, the Library of the.
* — Russell Institution, the Library of the.
— Sion College Library, London Wall.
* — Southwark Literary Society, the Library of the.
— the State Paper Office.
— Temple, the Library of the Hon. Society of the Inner.
— — the Library of the Hon. Society of the Middle.
— Tower, the Record Office at the.
— Town Clerk, the Office of the.
— University, the Library of the London.
— Westminster, the Library of the Dean and Chapter of.

London, Williams, Dr. Daniel, the Library of, Red Cross-street.
— Woods, Forests and Land Revenues, the Office of the Commissioners of.
*Londonderry, the Library Institution.
*Longford, the County Record Library.
*Lynn Regis, the Corporation Library.
*Macclesfield, the Subscription Library.
*Maidstone, the Subscription Library.
*Maldon, Archdeacon Plume's Library.
Manchester, Cheetham's College Library.
* — the Law Library.
— the Portico Library.
*Marlborough, the Town Hall.
*Marlow, Great, the Library of the Vicar and Churchwardens.
*Merthyr Tydvil, the Borough Library.
*Milnathort, the Subscription Library.
*Monaghan, the Office of the Clerk of the Peace.
Montrose, the Public Library.
*Morpeth, the Subscription Library.
*Newark, the Subscription Library.
*Newcastle-under-Lyne, the Town Clerk's Office.
Newcastle-upon-Tyne, the Library of the Literary and Philosophical Society.
* — the Library of the Society of Antiquaries.
*Newport, the Library of the Isle of Wight Institution.
*Newry, the Library of the Literary Society.
*Northampton, the County Hall.
Norwich, the Cathedral Library.
— the Corporation Library.
* — the Subscription Library.
*Nottingham, the Subscription Library.
*Omagh, the Office of the Clerk of the Peace for the county of Tyrone.
Orkney. *See* Kirkwall.
Ossory, the Cathedral Library.
Oxford, the Cathedral Library.
* — the Office of the Clerk of the Peace.
— University, viz.
The Ashmolean Museum.
The Bodleian Library.
The Radcliffe Library.
The Library of
All Soul's College.
Balliol College.
Brazen Nose College.
Christ Church College.
Corpus Christi College.
Exeter College.
Hertford College, now dissolved.
Jesus College.
Lincoln College.
Magdalen College.
Merton College.
New College.
Oriel College.
Pembroke College.
Queen's College.
Saint John's College.
Trinity College.
University College.
Wadham College.
Worcester College.
*Paisley, the Library.
* — the Library of the Faculty of Procurators.
* — the Trades Library Society's Library.
*Peebles, the County Library.
*Penrhyn, the Archives of the Corporation.
*Penzance, the Subscription Library.
*Perth, the Public Library.
Peterborough, the Cathedral Library.
* — the Library of the Antient Book Society.
*Plymouth, the Library.
*Pontefract, the Public Library.
*Portsmouth, the Library of the Literary and Philosophical Society.
*Preston, Dr. Shepherd's Library.
*Reading, the Library of the Justice Room.
— the Library of the Literary Institution.
*Renfrew, the Library of the Council Chamber.
*Retford, East, the Corporation Library.
*Richmond (Yorkshire), the Borough Library.
Ripon, the Library of the Collegiate Church.
* — the Town Hall.
*Rochdale, the Subscription Library.
Rochester, the Cathedral Library.
Rochester. *See* Chatham.
*Roscommon, the Peace Office Library.
Rosshire. *See* Dingwall.
*Rotherham, the Subscription Library.
*Rothesay, the Subscription Library.
*Royston, the Subscription Library.
*Rugby, the School Library.
*Ruthin, the county of Denbigh Library.
*Saint Alban's, the Corporation Library.
Saint Andrew's, the University Library.
Saint Asaph, the Cathedral Library.
Saint David's, the Cathedral Library.
Salisbury, the Cathedral Library.
* — the Corporation Library.
*Sandhurst, the Royal Military College Library.
*Scarborough, the Subscription Library.
*Selkirk, the Subscription Library.
Sheffield, the Subscription Library.
*Shrewsbury, the County Hall.
— the School Library.
*Sligo, the Subscription Library.
Somerset. *See* Taunton.
*Southampton, the Corporation Library.
Southwark. *See* London.
Southwell, the Library of the Collegiate Church.
*Stamford, the Subscription Library.
*Stirling, the Subscription Library.
*Stockport, the Court House.
*Stoke-upon-Trent, the Subscription Library.
*Stonehouse, the Library of the Sheriff Court of Kincardineshire.
*Stroud, the Public Library.
*Sudbury, the Corporation Library.
*Sunderland, the Library.
* — the Library of the Literary and Philosophical Society.
*Swansea, the Library of the Museum.
*Tamworth, the Town Hall.
*Tavistock, the Subscription Library.
Taunton, the Library of the Somerset and Taunton Institution.
*Thetford, the Record Office.
*Totness, the Subscription Library.
*Truro, the Cornwall Subscription Library.
Tyrone. *See* Omagh.
*Usk, the Sessions House.
*Wakefield, the Subscription Library.
*Walsall, the Subscription Library.
*Warrington, the Subscription Library.
*Warwick, the Court House.
Waterford, the Cathedral Library.
* — the Library of the Institution.
Wells, the Cathedral Library.
*Wenlock, the Borough Library.
Westminster. *See* London.
*Wexford, the Corporation Library.
*Weymouth, the Subscription Library.
*Whitby, the Subscription Library.
*Wick, the Record Room of the Shire of Caithness.
*Wicklow, the Court House.
*Wigan, the Subscription Library.
Wight, Isle of. *See* Newport.
*Wightown, the Subscription Library.
Winchester, the Cathedral Library.
— the College Library.
*Wisbeche, the Church Library.

*Wolverhampton,

*Wolverhampton, the Subscription Library.
Worcester, the Cathedral Library.
— the Library of the Bishop, Hartlebury Castle.
*Wycombe, the Subscription Library.
Yarmouth, the Public Library.
York, the Cathedral Library.
— the Subscription Library.

II. The British Dependencies and Colonies.

*Bengal, three Public Libraries in the Presidency of.
*Bombay, two Public Libraries in the Presidency of.
*Canada, Lower, the Public Library, Quebec.
* — Upper, the Public Library, Toronto.
*Gibraltar, the Public Library.
*Guernsey, the Record Office of the Island.
*Jersey, the Public Library.
*Ionian Islands, the Library of the Senate, Corfu.
*Madras, two Public Libraries in the Presidency of.
*Malta, the Public Library.
*Mauritius, the Library of the Supreme Court.
*New Brunswick, the Public Library, Frederick Town.
*New South Wales, the Library of the Australian College.
*Nova Scotia, the Public Library, Halifax.
* — the Library of King's College, Windsor.

III. Foreign States.

1. *The Continent of Europe.*

*Antwerp, the Public Library.
Berlin, the Royal Library.
Berne, the Public Library.
*Besançon, the Public Library.
*Boorn, the Library of the Royal University.
*Bremen, the City Library.
*Breslau, the Library of the Royal University.
*Brussels, the Public Library.
*Carlsruhe, the Grand Ducal Library.
*Coimbra, the Library of the University.
Copenhagen, the Royal Library.
*Darmstadt, the Ducal Library.
*Dresden, the Royal Library.
*Erlangen, the Library of the University.
*Florence, the Public Library.
Frankfort-on-the-Maine, the Public Library.
*Genoa, the Public Library.
*Ghent, the Library of the University.
*Giessen, the Library of the University.
*Gotha, the Ducal Library.
Göttingen, the Library of the University.
*Greisswalde, the Library of the Royal University.
*Halle, the Library of the University.
*Hamburgh, the Library of the Senate.
Hanover, His Majesty's Library.
*Heidelberg, the Library of the University.
*Jena, the Library of the University.
*Kiel, the Library of the University.
*Königsberg, the Library of the University.
*Leipzig, the Public Library.
* — the Library of the University.
*Liege, the Library of the University.
*Lille, the Public Library.
* — the Archives of the Department of the North.
*Lisbon, the Public Library.
*Louvain, the Library of the University.
*Lubeck, the Library of the Senate.
*Lucerne, the Public Library.
*Lyons, the Public Library.
*Moscow, the Imperial Library.
*Münich, the Royal National Library.
* — the Library of the University.
*Nismes, the Public Library.
*Oporto, the Public Library.
*Paris, the Archives de France.
* — the Library of the Chamber of Peers.
* — the Library of the Ecole de Droit.
* — the Library of the Louvre.
* — the Royal Library.
* — the Royal Library Department of Manuscripts.
*Pesth, the Library of the Hungarian National Society.
*Petersburgh, the Imperial Library.
*Poictiers, the Public Library.
*Presburg, the Public National Library.
*Rome, the Vatican Library.
*Rostock, the Library of the University.
*Rouen, the Public Library.
*Stockholm, the Royal Library.
*Strasburgh, the Public Library.
*Stutgard, the Royal Library.
*Toulouse, the Public Library.
*Treves, the Public Library.
*Tubingen, the Library of the University.
*Turin, the Public library.
*Vienna, the Imperial Library.
*Upsala, the Library of the University.
*Weimar, the Public Library.
*Wolfenbuttel, the Public Library.
*Würzburg, the Library of the University.
*Zurich, the Public Library.

*Eight sets have been placed at the disposal of the King of the French, to be deposited in public libraries or archives in France.

2.—*The United States of America.*

The National Library.
*Alabama, the Library of the University of the State of.
*Amherst College, the Library of.
*Annapolis, the Library of the State of Maryland.
*Baltimore, the City Library.
*Boston, the Athenæum.
* — the Library Society's Library.
*Bowdein College, the Library of.
*Brown University, the Library of.
*Carolina, North, the Library of the University of the State of.
*Carolina, South, the Library of the College of.
*Charlestown, the Society Library.
Columbia College. *See* New York.
*Dartmouth, the Library of the College of.
*Georgia, the Library of the University of the State of.
*Harvard University Library.
Maryland. *See* Annapolis.
*New Jersey, the Library of the College of.
*Newport, Rhode Island, the Redwood Library.
*New York, the Columbia College Library.
* — the Law Institute Library.
* — the Society Library.
* — the State Library.
* — the Library of the University of the State of.
*Ohio, the Library of the University of the State of.
*Philadelphia, the Library.

Appendix (C.)

No. 3. Receipts, &c. of Commissioners, 1833-35.

*Philadelphia, the Library of the American Philosophical Society.
*Portland, the Athenum.
Rhode Island. *See* Newport.
*Saint Lewis, the Library of the University of.
*Salem, the Athendum.
*Transylvania, the Library of the University of.
*Vermont, the Library of the University of the State of.
*Virginia, the Library of the University of the State of.
*Washington, the Library of the Department of State of the United States.
*Worcester, Massachusetts, the Library of the Antiquarian Society.
*Yale College, the Library of.

[The publications of the Commission have been always given to the sub-commissioners, editors, and other persons in the frequent employ of the Board; and occasionally they have been given to gentlemen known to be engaged in historical and antiquarian inquiries, as Dr. Lingard, Dr. Southey, the late Mr. Douce, &c.]

— No. 4. —

No. 4. Letters of Mr. Cooper.

LETTERS of Mr. *Cooper*, explaining the foregoing Returns.

Sir, New Boswell Court, Lincoln's Inn, April 13, 1836.

I AM directed by His Majesty's Commissioners on the Public Records of the Kingdom to request that the Returns of the Disbursements of the Board, beginning the 12th March 1833, and ending the 31st December 1835, which were forwarded to the Lords Commissioners of the Treasury on the 15th day of January last, may be amended, by erasing an explanatory note to the item, "Purchase of palæographical books in all languages, &c., 774*l.* 17*s.* 3*d.*," and which note begins with the words, "the items that make up," and ends with the words, "and this has now been done."

I have, &c.

F. Baring, Esq. *C. P. Cooper.*

P. S.—This letter is sent in duplicate, as it is presumed it must be laid before the House of Commons.

Sir, New Boswell Court, Lincoln's Inn, June 2, 1836.

I AM instructed by His Majesty's Commissioners on the Public Records to request that that portion of the Returns transmitted to the Lords of the Treasury on the 15th January last, and a duplicate copy of which is now on the table of the Committee of the House of Commons, which is headed "Liabilities," may be amended, by altering the heading, "Debts of the old Board still unpaid," to "Debts and liabilities of the old Board still unpaid;" and the heading, "Actual debts and liabilities," to "Present debts of the new Board;" and the item, "Debts of the old Commission still unpaid, 4,654*l.* 13*s.* 6*d.*," to "Debts and liabilities of the old Commission still unpaid, 4,654*l.* 13*s.* 6*d.*;" and the item, "Amount of the present debts and liabilities of the new Board, 16,168*l.* 0*s.* 5*d.*," to "Amount of the present debts of the new Board, 16,168*l.* 0*s.* 5*d.*"

A duplicate of this letter is sent, to be laid before the House of Commons.

I have, &c.

Francis Baring, Esq. *C. P. Cooper.*
&c. &c. &c.

— No. 5. —

No. 5. Books purchased for use of the Commission.

CATALOGUE of BOOKS purchased for the Use of the COMMISSION since the 12th March 1831.

[In compliance with the request of Mr. Cooper [Question 3152] to be allowed to correct the Press of this Catalogue of Books, a Proof sheet for that purpose was sent to him; but such correction was declined, Mr. Cooper stating "that what errors may exist have crept in by the frequent transcription of law stationers, and the trouble of correcting and verifying he considers needless in so unimportant a document." The Catalogue has, therefore, been printed verbatim.]

MODUS Legendi Abbreviationes passim in jure tam civili quam pontificis occurrentes Coloniæ. 1577; 8vo.

Notitia y Pean de un Viage para recorocer Archivos, M. Abella. Madrid, 1795; 4to.

Abhandlungen der Churfürstlich Baierischen Akademie der Wissenschaften. München, 1763. 1776; 10 vols. 4to.

Neue Historische Abhandlungen der Baierischen Akademie der Wissenschaften. München, 1779.

Neue Historische Abhandlungen der Baierischen Akademie der Wissenschaften. München, 1804; 2 vols, 8vo.

Historische Abhandlungen der Koniglich Baierischen Akademie der Wissenschaften. München, 1807. 1823; 5 vols. 4to.

Abhandlungen der Historischen Classe der Koniglich Bayerischen Akademie de Wissenschaften Erster Band, Theil II. Enthaltend die Stammreihe und Geschichte der Grafen von Sulzbach. München, 1833; 4to.

Some Account of the Alien Priories, and of such Lands as they are known to have possessed in England and Wales. London, 1787; folio (3 copies).

A Critical and Historical Account of all the celebrated Libraries in Foreign Countries, as well ancient as modern. London, 1789; 12mo.

Spicilegium sive Collectio veterum aliquot Scriptorum qui in Gallia Bibliothecis delituerant L. d'Achery. Parisiis, 1723; 3 vols. folio.

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No. 5.

Books purchased for use of the Commission.

The Lawes and Actes of Parliament made by James I. and his Successors, &c. Edinburgh, 1597; 4to.

The Acts and Orders of the Meeting of the Estates of the Kingdom of Scotland, holden 1689. Edinburgh, 1690; folio.

Actes relatifs à la nouvelle Organisation de la Bibliothèque Imperiale, St. Petersbourg, 1812; 8vo.

Neues Lehrgebäude der Diplomatik, welches in Frankreich von einigen Benedictinern ausgefertiget worden, übersetzt und mit Anmerkungen versehen von T. C. Adelung. Erfurt, 1759. 1769; 9 vols. 4to.

Codice Diplomatico di Sicilia sotto il Governo degli Arabi, pubblicato per operæ e studio di Alfonso Airoldi. Palermo, 1789. 1792; 6 vols. 4to.

Leonis ab Aitzema Historia Pacis, a fœderatis Belgis ab Anno 1621, a hoc usque tempus tractatx. Lugd. Bat. 1654; 4to.

Alani Magni de Jusulis cognomento universalis Opera. Opere et studio R. D. Caroli de Viseii. Antwerpiæ, 1654; folio.

Alberici Monachi Trium Fontium Chronicon e Manuscriptis nunc primum editum a G. G. Leibnitio. Lipsiæ, 1693; 4to.

B. Flacci Albino seu Alcuini Abbatis Opera cura ac studio Frobenii. Ratisbon, 1777; 5 vols. folio.

Beitray zur praktischen Diplomatik für Slaven, voizüglick für Böhmen F. C. Alter. Wien, 1801; 8vo.

Extrait des Chartes, et autres Actes Normands ou Anglo-Normands, qui se trouvent dans les Archives de Calvados Léchaudé d'Ainsy. Caen, 1834, 1835; 2 vols. 8vo. (2 copies.)

Rerum Anglicarum Henrico VIII. Edward VI. et Maria Regnantibus Annales nunc primum editi, 1616; folio.

Rerum Anglicarum Henrico VIII. Edward VI. et Maria Regnantibus, Annales. Londini, 1628; 4to.

Codex Belgicus seu Jus edictale a Principibus Belgarum sancitum A. Anselmus. Antwerpen, 1649; folio.

Briefre et sommaire Description de la Vie et Mort de Dom Antoine, premier du nom, et dixhuictiesme Roy de Portugal. Paris, 1629; 8vo.

Antonius Augustinus Bibliothecæ Manuscripta. Taracone, 1586; 4to.

Historisch Onderzock naer den Oorsprong en den waren naem der openbare plaetsen en andere Oudheden van de Stad Antwerpen, van stads wege intgegeven, 1828; 8vo.

Archæologia Americana; Transactions and Collections of the American Antiquarian Society, vol. 1. Worcester, Massachusetts, 1820; 8vo.

Archæologia Aliana; or, Miscellaneous Tracts relating to Antiquity. Published by the Society of Antiquaries of Newcastle-upon-Tyne, 1822. 1832; 2 vols. 4to.

Die geöffneten Archive für die Geschichte des Konigreichs Baiern. München, 1821; Hamberg, 1824; 4 vols. 8vo.

Das Archivwesen in Bayern. München, 1832; 4to.

Beyträge zur Geschichte und Literatur voizriglich aus den schatzen der pfalz Baierischen Centralbibliothek zu München Sterausgegeben von T. C. von Aretin. München, 1803–1807; 9 vols. 8vo.

An Argument proving, from Ancient Histories and Records, that William Duke of Normandy made no absolute Conquest of England by the Sword. London, 1682; 8vo.

Epistolæ Arnulphi, Episcopi Lexoviensis, Ex Bibliothecæ C. Turnebi Hadriani. Parisiis, 1585; 12mo.

Fulberti Carnutum Episcopi Liber Epistolarum Operæ P. Massoni. Parisiis, 1585.

Lupi Abbatis Epistolarum Liber. Parisiis, 1588.

De Fontibus Adami Bremensis Commentationem scripsit T. Asmassen. Kiliæ, 1834; 4to.

Bibliothecæ Medicæ Laurentianæ et Palatinæ Codicum MSS. Orientalium Catalogus. S. E. Assemannus. Florentiæ, 1742; folio.

The Origin and Progress of Writing. T. Astle. London, 1803; 4to. (4 copies.)

Bibliothecæ Santæ ac Metropolitanæ Ecclesiæ Turonensis studio et Operæ D. Victoris d'Avanne Cæsaroduni Turonum, 1706; 12mo.

Calendars of the Ancient Charters, &c., and of the Welsh and Scotch Rolls, now remaining in the Tower of London. Ayloffe. London, 1772; 4to. (3 copies.)

Sylloge Anecdotorum omnis æri Chronicorum Diplomatum, &c., Historias et res Germanicas exterasque Civiles et Ecclesiasticas Illustrantium. Ex recencione C. F. Ayrmanni, Francofurtis I. 1746; 8vo.

A Catalogue of the Manuscripts preserved in the British Museum, hitherto undescribed, consisting of 5,000 volumes. S. Ayscough. London, 1782, 2 vols. 4to. Three copies.

Baader, Reisen durch verschiedene Gegenden Deutchlands, in Briefen. Augsburg, 1795; 8vo.

Bacmeister, Essai sur l'Origine et l'État actuel de la Bibliothèque Imperiale de St. Petersbourg, 1776; 8vo.

Liber Regis. J. Bacon. London, 1786; 4to.

Bailly, Notices Historiques sur les Bibliothèques. Paris, 1828; 8vo.

Scriptores Illustres Majoris Britanniæ. J. Balæus Basileæ; 4to. Two copies.

Stephani Baluzii Miscellanea, hoc est Collectio veterum Monumentorum quæ hactenus latuerant in variis Codicibus ac Bibliothecis. Parisiis, 16, 1700; 6 vols. 8vo.

Epistolarum Innocentii III. Romani Pontificis Libri undecim. S. Baluzius College, etc. Parisiis, 1682; 2 vols. folio, (2 copies.)

Catalogus Codicum Latinorum Bibliothecæ Medicæ Laurentianæ. A. M. Bandinius. Florentiæ, 1774. 1777; 4 vols. folio.

Catalogus Codicum Italicorum Bibliotheca Medicæ Laurentianæ. A. M. Bandinius. Florentiæ, 1778; folio.

Miscellanea Cracoviensia vova Bandke, Fasciculus 1. Cracoviæ, 1829; 4to.

Clavis Diplomatica Studio et Opera. D. E. Baringii. Hanoveræ, 1737; 4to.

D. E. Baringii. Clavis Diplomatica. Hanoveræ, 1754; 4to. (2 copies).

The History of that most victorious Monarch Edward 3d, &c. J. Barnes. Cambridge, 1688; folio.

Jacobus Baroccius, Indice degli Libri, Scritti e Penna nella sua Libreria. Venetiis, 1617.

Baudelot de Dairval, de l'Utilité des Voyages Litteraires. Paris, 1693; 8vo.

Dictionnaire Geographique et Historique, M. A. Baudrant. Paris, 1705; folio (2 copies).

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No. 5.
Books purchased for use of the Commission.

Baronius, Annales Ecclesiastica, una cum critica, critica historico chronologica Pagii et Lucca 1738–1746; 19 vols. folio.

Martyrologium Ecclesiæ Germanicæ pervestustum, in publicum prodit. M. F. Beckius. Aug. Vindel, 1687; 4to.

Literatur der älteren Reisebeschreibungen. J. Beckmann, Gottingen, 1808–1810; 2 vols. 8vo.

Beckmann's Catalogus Bibliotheca Universitatis. Frankofurt anæ Francofurti ad Viadrum, 1706; folio.

Venerabilis Bedæ Opera quotquot repiriri potuerunt omnia. Coloniæ Agr., 1612; 8 vols. folio.

Rerum Hispanicarum Scriptures aliquot. R. Belus. Francofurti, 1579.

De Rebus Gestis a F. Ximenio Cisnerio, studio J. Sambuci. Francofurti, 1581; folio.

Histoire Littéraire de la France. Par Religieux Benedictins, 1723. 1732; 17 vols. 4to.

Histoire Littéraire de la Congrégation de Saint Maur, Ordre de S. Benoit. Bruxelles, 1770; 4to.

Bibliothèque Générale des Ecrivains de l'Ordre de S. Benoit. 1777. 1777; 4 vols. 4to.

Berdes, Catalogus Bibliothecæ Summi Regii, Tribunalis Wismariensis. Wismar, 1703; folio.

Bernardus, Sanctus, Opera quæ quidem Colligi undequaque in hunc risque diem potuere omnia. Par. 1632; folio.

Codex Traditionum Ecclesiæ Ravennateusis in papyro Scriptus et in regia Bibliothecæ Bavarica asservatus. Edidit J. B. Bernhart. 1810; 4to.

Lettres sur differens sujets, écrites pendant le cours d'un Voyage par l'Allemagne, la Suisse, la France meridionale, et en Italie, en 1774 et 1775. J. Bernouilli. Berlin, 1777. 1779; 3 vols. 8vo.

Bernouilli, Beschriebung Wissenschaft licher Reisen. Berlin, 1781. 1786; 18 vols. 8vo.

Concilia Rotomagensis Provinciæ Accendunt Diocesanæ Synodi, Pontificum Epistolæ. G. Bessin Rotomagi. 1717; folio.

Beyerus, Arcana Sacra Bibliothecarúm Dresdensium. Ejusdem operis continuatio prima. Dresden, 1738; 12mo.

J. L. Bianconi Lendschreiben an P. Hercolani. Leipzig, 1764; 8vo.

Bibliotheca Nova Tigurinourum Publica Private, 1629; 4to.

Bibliotheca Augusta Dni Augusti Ducis Brunovicensis et Lunæburgensis quæ est Wolferbyti. 1653.

Bibliotheca Bavarica, oder Sammlung verschiedener kleiner Schriften, Abhandlungen und Nachrichten aus allen Theilen der Baierischen Geschichte. München, 1767; 2 bande in 1 vol. 12mo.

Bibliotheca Vaticana. Lipsiæ, 1803.

Bibliotheca Ministerii Sacri Scaphusiensis. 1820; 8vo.

Bibliothec inclytæ Reipublicæ Augustanæ utriusque tum Græcæ tum Latinæ librorum et impressorum et manu exazatorum Catalogus. Aug. Vindel, 1600.

Bibliothecæ Medic Laurentianæ Catalogus. A. M. Biscionius. Florentiæ, 1752; folio.

Bibliothecæ Academiæ Ingolstadensis Incunabula Typographica. Ingolstadii, 1787; 4 vols. 4to.

Bibliothecæ Regiæ Catalogus. Londini, 1820. 1829; 5 vols. folio.

Nachrichten von der Ehemaligen aus lauter Handschriften bestandenen Bibliothek in Fulda. Leipzig, 1812; 12mo.

Essai Historique sur la Bibliothèque du Roi. Paris, 1782; 12mo.

Notices et Extraits des Manuscrits de la Bibliothèque du Roi. Paris, 1787. 1831; 12 vols. 4to.

Bibliothèque Protypographique. Paris, 1830; 4to.

Josephi Binghami Origines sive Antiquitates Ecclesiasticæ, ex Lingua Anglicana in Latinam vertit, J. H. Grischovius accedit Prefatio. J. F. Buddei. Halæ, 1724. 1729; 10 vols. 4to.

Bjorustählś Briefe auf seinen Ausländischen Reisen aus dem Schwedischen übersetzt. Leipzig und Rostock, 1780. 1783; 6 vols. 8vo.

Petri Bizzarii Varia Opuscula. Venetiis, 1565; 8vo.

Blainville's Reisen durch Holland, Deutschland, die Schweiz und Italien. 1759; 3 vols. 4to.

Ambassades de Monsieur de la Boderie en Angleterre sous le Regne d'Henri IV., et la Minorité de Louis XIII., depuis les années 1606 jusqu'en 1611. 1750; 5 vols. 12mo.

Codex Epistolaris Rudolfi I. Rom. Regis Epistolas 230 Anecdotas continens. F. J. Bodmann. Lipsiæ, 1806; 8vo.

Scriptores ad Germanicam Historiam pertinentes nonnulli rariores. J. H. Boeclerus. Argentorati; 1685, folio.

Regum Pariumque Magnæ Britanniæ Historia Genealogica.

Præfationes, Tractatus, Diatribæ et Exegeses Præliminares, atque nonnulla venerandæ antiquitatis monumenta, a T. Bollando cæterisque etc., elucubratis in Acta Sanctorum voluminibus præfixa. Venetiis, 1749; 3 vols. folio.

Diplomatische Beÿträge zur Untersuchung der Schlesischen Rechte und Geschichte Böhme. Berlin, 1770. 1775; 6 theile in 2 vols. 4to.

Regesta Chronologico Diplomatica Karolorum. J. T. Böhmer. Frankfurt, 1813; 4to.

Charterbock der Hertogen van Gelderland en Graaven van Zutphen. Pieter Bondam. Utrecht, 1783; folio.

A. Bonfinii Rerum Ungaricarum Decades quatuor cum dimidia, his accessere, J. Sambria, aliquot Appendices, &c. Hanoviæ, 1606; folio.

Epistolæ S. Bonifacii Primi Moguntini Archiepiscopi. S. Serarius. Moguntiæ, 1605; 4to.

Musei Borgiani Velitris Codices, MSS. Romæ, 1793: 4to.

P. P. Boschæ de Origine et Statu Bibliothecæ Ambrosianæ Hemidecas Mediolani. 1672; 4to.

Floriacensis vetus Bibliothecæ Benedictina. J. A. Bosco. Lugduni, 1605; 8vo. (2 copies).

Recueil des Historiens des Gaules et de la France. M. Bouquet, M. J. J. Brial. Paris, 1738. 1813; 16 vols. folio.

An Historical Treatise of Cities and Burghs, or Boroughs. Rob. Brady. London, 1704; folio (4 copies).

Scriptores Rerum Brandenburgensium quibus Historia Marchia Brandenburgensis ejusque variæ mutationes, etc., illustrantur. Francofurti ad Viadrum, 1751, 1752: 2 vols. 4to.

Braun Notitia Historico Litteraria de Codicibus Manuscriptis in Bibliotheca Libri ac Imperialis Monasterii Ordinis S. Benedicti ad S. S. Udalricum et dfram Augustæ extantibus. Aug. Vindel, 1791. 1796; 6 vols. 4to.

C. Briethanpti Ars Decifratoria. Helmstadii, 1737; 8vo.

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No. 5.
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Merkwürdige Urkunden eines Vertrags zwischen Jacob II. Von Schottland und der Stadt Bremen. Bremen, 1769; 4to.

Table Chronologique des Diplomes, Chartes, Titres et Actes imprimés concernant l'Histoire de France. M. de Brequigny. Paris, 1769. 1783; 3 vols. folio (2 copies).

Diplomata, Chartæ, Epistolæ, et alia Documenta, ad Res Francicas Spectantia. Ediderunt, &c., L. G. O. Feudrix de Brequigny, F. I. G. la Porte du Theil. Parisiis, 1791; 3 vols. folio.

Historia Britannica; hoc est, de Rebus Gestis Britanniæ seu Angliæ Commentarioli tres. Oxoniæ, 1640; 12mo.

Fuldensium Antiquitatum, libri 4. R. P. C. Browerus. Antwerpiæ, 1612, 1612; 4to.

Antiquitatum et Annalium Trevirensium, libri 25. C. Browerus et J. Masenius. Leodii, 1670, 1671; 2 vols. folio.

Brackmannus, Epistola Itineraria de Bibliothecis Vindobonensibus præcipius. Wolffenbuttel, 1728; 4to.

Beiträge zur Kritischen Bearbeitung unbenuzter Alter Standschriften Drucke und Urkunden, herausgegeben. Von P. J. Bruns. Brannschweig, 1802; 8vo.

Germania Topo Chrono Stemmato Graphica, Sacra et Profana, Opera et Studio. G. Bucelini. Aug. Vindel, 1655; 2 vols. folio.

Bulletin de la Société de l'Histoire de France. Paris, 1834, 1835; 2 vols. 8vo.

Burckhard, Historia Bibliothecæ Augustæ, que Wolffenbutteli est. 1744. 1746; 2 vols. 4to.

Catalogue des Livres de la Bibliothèque de M. ———. Par Guillaume Buré. Paris, 1792; 8vo.

The History of the Reformation of the Church of England. G. Burnet. London, 1679. 1753; 3 vols. folio.

Ricardus de Bury, Philobyblon sive de Amore Librorum et Institutione Bibliothecæ tractatus. Spiræ, 1483; 4to. Parisiis, 1500. Oxoniæ, 1599, cum Appendice de MSS. Oxoniensibus.

Butkens, Trophées tant Sacrés que Profanes du Ducché de Brabant. Hague, 1724. 1726.

The Lives of the Fathers, Martyrs, and other Principal Saints. Alban Butler. Dublin, 1779, 1780; 12 vols. 8vo.

A General Calendar of the Reigns of the Kings of England. London, 1635.

Cancellaria Hispanica Adjecta sunt Acta Publica. Treistadii, 1622; 4to.

Thesaurus Monumentorum Ecclesiasticorum et Historicorum sive Henricii Canisii Lectiones Antiquæ, ad Sæculorum Ordinem digeste, varisque Opusculis auctæ, quibus Notas, &c., adjecit. J. Basnage. Antwerpiæ, 1725; 6 vols. folio.

De Antiquitate Britannicæ Ecclesiæ et nominatim de privilegiis Ecclesiæ Cantuariensis, atque de Archiepiscopis, ejusdem 70 Historia. Hanoviæ, 1605; folio.

Hieronymus Cardanus Catalogus Librorum suorum.

A General History of England. T. Carte. London, 1747. 1755; 4 vols. folio.

Alphabetum Tironianum, seu Notas Tironis explicandi Methodus, Labore et Studio. D. P. Carpentier. Lutetiæ Par. 1747; folio.

Glossarium Novum ad Scriptores Medii Ævi cum Latinos tum Gallicos seu Supplementum ad Auctiorum Glossarii Cangiani editionem. D. P. Carpentier. Parisiis, 1766; 4 vols. folio (2 copies).

A Catalogue of the Manuscripts of the King's Library; an Appendix to the Catalogue of the Cottonian Library. D. Casley. London, 1753; 4to.

Bremische Historische Nachrichten und Urkuwen aus Licht gestellet. Von J. P. Cassel. Bremen, 1766, 1767; 2 vols. 8vo.

Sammlung ungedruckter Urkunden, welche die Geschichte der freien Reichsstadt Bremen in vorigen Zeiten aufklären, aus Licht gestellet. Von J. P. Cassel. Bremen, 1763; 8vo.

Catalog over Islands Stifts Bibliothek. Kiöbenhavn, 1828; 8vo.

A Catalogue of the Library of the Faculty of Advocates, Edinburgh. Edinburgh, 1742. 1807; 3 vols. folio.

Catalogue des Rolles Gascons, Normans et Français, conservées dans les Archives de la Tour de Londres. Londres, 1743; 2 vols.

Catalogue des Livres Imprimés de la Bibliothèque du Roi. Paris, 1753; 6 vols. folio.

A Catalogue of the Archiepiscopal MSS. in the Library at Lambeth Palace. London, 1812; folio.

Catalogue of Maps, Prints, Drawings, &c., presented by King George IV. to the British Museum. London, 1829; folio.

Catalogue of the Arundel Manuscripts in the British Museum. 1834; folio.

Catalogi Librorum MSS. Angliæ et Hiberniæ in unum collecti cum Indice Alphabetico. Oxoniæ, 1697; folio, (2 copies).

Catalogus Librorum MSS. Augustanæ Bibliothecæ. Aug. Vindel, 1575.

Catalogus, Codicum, y sunt in Bibliotheca Reip. Augustanæ Vindelicæ, quadruplo quam antea auctior. Aug. Vindel, 1595; 4to.

Catalogus Librorum quos vel excudit Comelinus, vel quorum Exemplaria ad se recepit, accedunt Libri Manuscripti ex ejus Bibliotheca; 1599.

Catalogus Græcorum Manuscriptorum Codicum qui asservantur in inclyta Serenissiori utriusque Bavariæ Ducis Bibliotheca Ingolstadt, 1602; 4to.

Catalogus Bibliothecæ Lugduno Batavæ noviter recognitus. Lugduni Bat., 1674; 4to.

Catalogus Trajectino Batavæ Trajecti ad Rhenum; 1718, folio.

Catalogus Codicum Manuscriptorum Bibliothecæ Regiæ. Parisiis, 1739. 1744; 4 vols. folio.

Catalogus Bibliothecæ Harleiand. Londini, 1743; 5 vols. 8vo.

Catalogus Librorum Bibliothecæ Tigurinæ. 1744. 1809; 6 vols. 8vo.

Catalogus Historicus criticus Codicum MSS. Ecclesiæ Metropolitanæ Coloniensis Coloniæ, 1752; 4to.

Catalogus Librorum in Bibliotheca Aulæ Divæ Catharinæ, Cantabrigiæ, 1771; 4to.

Catalogus Van de Bœken der Nationale Bibliothick, Haag, 1800; 8vo.

Librorum Impressorum qui in Museo Britannico adservantur Catalogus. Londini, 1813. 1819; 8 vols. 8vo.

Catalogus Librorum Bibliothecæ Aroviensis. 1776; 8vo.

Catalogus Bibliothecæ Publicæ Amstelædamensis. 1796, 4to.

Catalogus Librorum quos complectitur Bibliotheca Publica, ad ædem S. Laurentii, Roterodami, 1814; 4to.

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Books purchased for use of the Commission.

Catalogus Librorum qui in Bibliotheca Cathedralis Eliensis ad servantur. 1815; 8vo.

A Catalogue of the Printed Books in the Library of the Society of Antiquaries of London. London, 1816; 4to.

Catalogues of Scottish Writers. Edinburgh, 1833; 8vo.

Catalogus Librorum Bibliothecæ Academiæ. Upsaliensis, 4to.

Bibliothecæ Upsaliensis Historia. O. Celsius. Upsalia, 1745; 8vo.

Bibliothecæ Stockholmensis Regiæ Historia. M. Celsius. Holmiæ, 1751; 12mo.

Charta Authentica Roberti Seneschalli Scotiæ ex Archivo Collegii Scotorum Parisiensis edita. Parisiis, 1695; 4to.

Regesta Chronologico Diplomatica Ruperti Regis Romanorum. J. Chmel. Frankfurt, 1834; 4to.

Musei, sive Bibliothecæ Extructio, Instructio, Caru, Usus, Accessit, Descriptio Regiæ Bibliothecæ S. Laurentii Escurialis. Claudius Clemens. Lugduni, 1635; 4to.

Codice Diplomatico Colombo Americano. Genovæ, 1823; 4to.

Codices Manuscripti in Bibliotheca, S. Vedasti, apud Atrebatiam; 1828; 8vo.

Historical and Political Memoirs, containing Letters written by Princes, Ministers, &c., beginning with 1697 to the end of 1708. Collected by Ch. Cole. London, 1735; folio.

Colerus, Oratio Auspicalis cum habita solemni Panegyri, Bibliotheca Mario Magdalenæa, Libris auctior et cultu ornatior, 24 Nov. 1644; usibus publicis dedicaretur. Vratislaviæ; 1699, 4to.

Collectanea Topographica et Genealogica, 10 Parts. London, 1833. 1835; 8vo.

Congetture Popra una Carta papiracea dell' Archivo Diplomatico in Firenze. Un socio Etrusco Firenze, 1781; 4to.

Hermannus Conringius, De Augusta Bibliotheca Ducis Brunsvicensis et Luneburgensis quæ est in arce Wolffenbuttelensi. Helmstadii, 1651; 4to.

Baltazar Corderius, Catalogus Manuscriptorum Bibliothecæ Scorialensis. Antwerpiæ, 1648; 8vo.

Von dem grossen Namenszeicher Maximilians I. bey Unterzeichnung der Urkunden in teutschen Reichssachen. T. W. Cosmann. Mainz, 1786; 8vo.

Cotgrave's French and English Dictionary; (3 copies.)

An exact Abridgment of the Records in the Tower of London, collected by Sir Robert Cotton. Revised, &c. by W. Prynne. London, 1657; 4to; (3 copies.)

Epistolæ Romanorum Pontificum, et quæ ad eos scriptæ sunt, studio P. Constant. Parisiis, 1721; tomus I., folio.

Pontificum Romanorum a S. Clemente usque ad S. Leonem M. Epistolæ genuinæ, etc. Ex recensione et cum notis P. Constantii et fratrum Balleriniorum. Curavit C. T. G. Schoenemann. Gottingæ, 1796; tomus I., 8vo.

Cyprianus. Catalogus Codicum Manuscriptorum Bibliothecæ Gottsanæ Clarorum Virorum Epistolæ 117 e Bibliothecæ Gottsanæ Autographis. Lipsiæ, 1714; 4to.

Daebuert, Academiæ Grypeswaldensis Bibliotheca. Greifswalde, 1775, 1776; 3 vols. 4to.

Bibliotheca Daneschioldiana Havniæ, 1732; 4to.

L'Art de verifier les Dates des Faits Historiques, des Chartes, des Chroniques et autres Anciens Monumens. Paris, 1780. 1787; 3 vols. folio, (2 copies.)

L'Art de verifier les Dates, &c. avant l'Erc Chretienne; 5 tom. 8vo. Par. 1819.

Depuis la Naissance de Notre Seigneur; 18 tom. 8vo. Par. 1818, 1819; (2 copies.)

Manuscrits de la Bibliothèque de Lyon. A. F. Delandine. Paris et Lyon, 1812; 3 vols. 8vo.

Denis, Die Merkwürdigkeiten der K. K. garellischen Bibliothek am Theresiano. Vienna, 1780; 4to.

Denis, Codices Manuscripti Theologici Bibliothecæ Palatinæ Vindobonensis Latini aliarumque, Occidentis Linguarum. Viennæ, 1793, 1802; 6 vols. folio.

Nouveau Traité de Diplomatique par deux Religieux Bénédictins de la Congrégation de S. Maur. Paris, 1750. 1765; 6 vols. 4to.; (2 copies.)

Dobrowsky Litterarische Reise Nachrichten von einer Reise nach Schweden und Russland. Prague, 1796; 8vo.

Historia de Expeditione Friderici Imperatoris Edita a quod am Anstriensi Clerico, qui eidem interfuit, nomine Ansbertus. J. Dobrowsky. Pragæ, 1827; 8vo.

Histoire de l'Abbaye de S. Denys en France. Jacques Dovolet. Paris, 1625; 4to.

Bibliotheca Classica, sive Catalogus Officinalis in qui singuli singularum Facultatum ac Professionum libri, qui in quavis fere lingua extant, &c. recensentur. G. Draudius, Francofurti, 1625; 2 vols. 4to.

J. C. H. Dreyer, Notitiæ Librorum Manuscriptorum Historiæ Ainbricæ omnis argumenti periculum primum Scriptores Historiæ Ecclesiasticæ Cimbricæ Anecdotos recenseos. Rostochii et Wismariæ, 1759; 4to.

Monumenta Anecdota Virorum post fata illustrium et clarorum quibus varia rei litterariæ, historiarum, antiquitatum et junis Germanici, argumenta illustrantur et expenduntur. Recensuit, etc. T. C. H. Dreyer. Tomus I. Lubecæ et Altonæ, 1760; 4to.

Historiæ Francorum Scriptores, Opera et Studio Andreæ du Chesne. Lutitiæ. Par. 1636. 1649; 5 vols. folio.

Histoire d'Angleterre, d'Ecosse, et d'Irlande. Par André du Chesne. Paris, 1666: folio.

Another edition, 1641.

R. Duellii Miscellanea quæ ex Codicibus. MSS. collegit. Aug. Vindel et Græcii, 1723, 1724; 2 vols. 4to.

R. Duellii excerptorum Genealogico Historicorum libri duo Lipsiæ, 1725; folio.

A perfect Copy of all the Summons of the Nobility to the great Councils and Parliaments of this Realm, from the 49th of King Henry III., until these present times. W. Dugdale. London, 1685; folio; (4 copies.)

Glossarium ad Scriptores Mediæ et Infimæ Litinitatis, auctore Carole Dufresne, Domino du Cange. Editio nova opera et studio Monachorum ordinis S. Benedicti. Parisiis, 1733. 1736; 6 vols. folio; 2 copies.

Dumont, Corps Universel du Droit des Gens. Amsterdam, 1726. 1731; 11 vols. folio.

Supplément. Amsterdam, 1739; 6 vols. folio.

Le Ceremoniel des Cours de l'Europe. Recueilli par Mr. du Mont, mis en ordre et augmenté par Rousset. Amsterdam & Hague, 1709; 2 vols. folio.

Traitez touchant les Droits du Roy très Chrétien sur plusieurs Etats et Seigneuries voisins. Dupuy. Paris, 1655; folio.

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No. 5.
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Ebel, Anleitung auf die nützlichste und genussvollete Art die Schweiz zu bereisen. Zurich, 1804, 1805; 4 vols. 8vo.

Geschichte und Beschreibung der Königl. Bibliothek zu Dresden. F. A. Ebert. Leipzig, 1822; 8vo.

Zur Handschriftenkunde F. A. Ebert. Leipzig, 1825. 1827; 2 vols. 8vo.; 2 copies.

Ebert, Ueberlieferungen zur Geschichte & Kunst der Vor und Mitwelt. Dresden, 1826; 8vo.

Corpus Historicum Medii Ævi, seu Scriptores Res in Orbe Universo, præcipue in Germania, gestas enarrantes aut illustrantes, e variis Codicibus MSS. collecti et nunc primum editi a T. G. Eccardo. Lipsiæ, 1723; 2 vols. folio.

Eckhardus, Codices Manuscripti Quedlinburgenses. Quedlinburg, 1723; 4to.

C. H. Eckhardi Introductio in rem diplomaticam, præcipue Germanicam. Jenæ, 1753; 4to.

Commentarii de Rebus Franciæ Orientalis et Episcopatus Wirceburgensis. T. G. ab Eckhart. Wirceburgi, 1729; 2 vols. folio.

Ehingerus, Catalogus Bibliothecæ amplissimæ Reipublicæ Augustanæ. Aug. Vindel, 1633.

Commentatio I. Historico Ecclesiastico Litteraria de Origine, Fatis et Incrementis Bibliothecæ Cœnobii Bergensis propter Magdeburgum. T. T. von Einem. Magdeburg, 1732; 4to.

Elisius, Diarium Europæum. Francofurti, 1657. 1681; 42 parts in 76 vols. 4to.

A complete History of England, with the lives of all the Kings and Queens thereof. London, 1719; 3 vols. folio.

Historia Episcopatuum Fœderati Belgii. Antwerpiæ, 1755: 2 tomi in 1 vol.

Epistolæ Principum, Rerumpublicarum, ac Sapientum Virorum, etc. Venetiis, 1574; 8vo.

Sylloge Epistolarum e variis Angliæ Principibus Scriptarum, 8vo.

Sylloge Epistolarum, Orationum et Carminum Regalium. Londini, 1640; 12mo.

Manuscript Samling i det store Kougelige Bibliothek. J. Erichsèn. Kiöbenhavn, 1786; 8vo.

H. Erustius Catalogus Librorum Refertissimæ Bibliothecæ Medicæ, quæ Florentiæ Asservatur in Cœnobio D. Laurentii. Amsterodami, 1641; 4to.

Excerpta Historica, or Illustrations of English History; 4 parts. London, 1830; 8vo.

Bibliotheca Ecclesiastica. Curante Alberto Fabricio. Hamburgi, 1718; folio.

Fabricius Dissertatio Historico Litteraria de Transpositione Bibliothecarum Memorabili. Helmstadii, 1724; 4to.

J. A. Fabricii, Bibliotheca Latini Medii Ævi et Infimæ Ætatis. Accedunt Wippomis, Presb. Proverbia ad Henricum Conradi Imp. Filium. Hamburgi, 1724. 1746; 6 vols. 8vo.

Sammlungen zur näheren Kunde des Vaterlandes. Herausgegeben Von N. Falk. Altona, 1819. 1825: 3 vols. 8vo.

Codex Traditionum Corbeiensium. J. F. Falke. Lipsiæ et Guelpherbyti, 1752; folio.

Joh. Henr. de Falkenstein, Codex Diplomaticus Antiquitatum Nordgaviensium, &c. Francofurti et Lipsiæ, 1733; folio.

Scriptores Rerum Suecicarum Medii Ævi, edidit E. M. Fant. Upsaliæ, 1818; 2 vols. folio. (2 copies.)

Decretum Originale Andreæ Secundi quo Regnum Hungariæ, constituit Anno 1222. Detexit ac Illustravit G. Fejer. Budæ, 1829; 8vo.

Codex Diplomaticus Hungariæ Ecclesiasticus ac Civilis, cum Indice. Studio et Opera G. Fejer, Budæ, 1829, 1830; 14 vols. 8vo.

Histoire de l'Abbaye Royale de Saint Denys en France. M. Felibien. Paris, 1706; folio.

Monumenta Inedita Variisque Linguis Conscripta, nunc singulis trimestribus prodeuntia e Museo. J. F. Felleri, Jenæ, 1714; 4to.

Fellerus, Catalogus Codicum Manuscriptorum Bibliothecæ Paulinæ in Academia Lipsiensi. Lipsiæ, 1826; 12mo.

Original Letters written during the Reigns of Henry 6th, Edward 4th, and Richard 3d. Sir T. Fenn. London, 4 vols. 4to.

Novissima Scriptorum ac Monumentorum rerum Germanicarum, Collectio ex Bibliotheca. F. C. J. Fischeri. Halæ, 1781; 4to.

Fleischer, Catalogus Codicum MSS. Bibliothecæ Dresdensis. Lipsiæ, 1831; 4to.

Vetustius Occidentalis Ecclesiæ Martyrologium Romanum. F. M. Florentinius. Lucæ, 1668; folio.

Florilegium Historico Criticum Librorum rariorum. Groningæ & Bremæ, 1763; 8vo.

Florus Anglo Bavaricus. Leodii, 1685; 4to.; (2 copies.)

Justi Fontanini Forojuliensis Vindiciæ Antiquorum Diplomatum Adversus B. Germonii Disceptationem de veteribus Regum Francorum, Diplomatibus etc., libri duo. Romæ, 1705; 4to.

Revue Anglo Française, publicé sous la direction de Mr. de la Fontenelle de Vandoré. Poitiers, 1833. 1835; 3 vols. 8vo.

The Antiquary's Portfolio, or Cabinet Selection of Historical and Literary Curiosities. J. S Forsyth. London, 1825; 2 vols. 8vo.

Notice des Diplomes, des Chartes, et des Actes relatifs à l'Histoire de France, par Mr. l'Abbé de Foy. Paris, 1765: 4to. tom 1.

Rerum Bohemicarum Antiqui Scriptores aliquot insignes. Ex Bibliotheca M. Freheri. Hanoviæ, 1602; folio.

Corpus Franciæ Historiæ veteris et sinceræ. Freherus. Hanoviæ, 1613; folio.

Sammlung Historicher Schriften und Urkunden. M. Von Freiberg. Stuttgart und Tubingen, 1827. 1835; 4 bände, 8vo.

A new Method of studying History, Geography and Chronology. Languet der Fresnoy. Translated by R. Rawlinson. London, 1730; 2 vols. 8vo.

Thesaurus Historiæ Helveticæ Fuessly Figuri. 1735; folio.

Codice Diplomatico Sant Ambrosiano delle carte dell' ottavo e nono Secolo, illustrate con Note da Angelo Fumagalli. Opera Postuma, publicata da Carlo Amoretti. Milano, 1805; 4to.

Collection de Documens inedits concernant l'Histoire de la Belgique; publicé par L. P. Gachard. Bruxelles, 1833. 1835; 3 vols. 8vo.

Jacobus Gaffarellus. Index Codicum Cabalisticorum Manuscriptorum, quibus est usus Joannes Picus Mirandulanus. Parisiis, 1651; 8vo.

Miscellanea de Rebus Gallicis; folio, (various dates.)

Traité Historique des plus belles Bibliothèques de l'Europe. Par le Sieur Le Gallois. Paris, 1680. 1685; 12mo.

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J. C. Gatteri, Elementa Artis Diplomaticæ universalis, Volumen prius. Gottingæ, 1765; 4to.

Gatterer, Abriss der Diplomatik. Gottingen, 1798; 8vo. (2 copies).

Ueber den Ursprung der Stadt Regensburg und aller alten Reichsctadte, nament lich der Stadte Basel, Strasburg, Speice, Worms, Mainz und Cölln. K. T. Gemeiner. Regesisburg, 1817; 8vo.

The Gentleman's Magazine. New Series. 5 vols. 8vo.

M. Gerberti, Iter Alemannicum, accedit Italicum et Gallicum. Sequuntur Glossaria Theotisca. San Blasii, 1765; 8vo.

M. Gerberti, Iter Alemannicum, accedit Italicum et Gallicum. San Plarii, 1773; 8vo.

Codex Epistolaris Rudolphi I., Romanorum Regis. Opera M. Gerberti. San Plarii, 1772; folio.

Codex Diplomaticus Brandenburgeriis. Herausgegeben von P. W. Gerken. Lalzwedel, 1769. Stendal, 1782; 8 tomi in 4 vols. 4to.

Gerken, Reisen durch Schwaben, Bailra, Franken, &c. Stendal & Worms, 1783, 1788; 4 vols. 8vo.

De Veteribus Regum Francorum Diplomatibus, de Arte Secernendi Antiqua Diplomata vera a Falsis, Disceptationes. P. Germon. Parisiis, 1700, 1707; 3 vols. 12mo. (2 copies.)

Regesta Chronologico Diplomatica in quibus Recensentur omnis generis Monumenta N. Documenta Publica. P. Georgisch. Francofurti et Lipsiæ, 1740, 1744; 4 vols. folio.

Gervasii Tilberiensis de Imperio Romano et Gottorum Lombardorum, Brittorium, Franconum, Anglorumque Regnis Commentatio. Edita a J. T. Madero. Helmestadii, 1673; 4to.

Gesta Dei per Francos, sive Orientalium Expeditionum, et Regni Francorum Hierosolimitani Historia. Hanoviæ, 1611; 2 tomi in 1 vol. folio.

Catalogue Descriptif et Raisonné des Manuscrits de la Bibliothèque de Cambrai. A. le Glay. Cambrai, 1831; 8vo.

Goetzius de Bibliotheca Lenatus Lipsiensis. Lipsiæ; 4to.

Götze, Die Merkwürdigkeiten der Königlichen Bibliothek zu Dresden. Dresden, 1743. 1746; 3 vols. 4to.

Goffridi Abbatis Vindocinensis Epistolæ, Opuscula, Sermones Toc Sirmondus nunc primum in lucem ernit, ac Notis Epistolas illustravit. Parisiis, 1610; 8vo.

Petri Abbatis Cellensis Epistolarum, libri 9. Item Alexandri III. Papæ ad Petrum eundem et alios Epistolæ 56. Lutetiæ Par. 1613; 8vo.

M. H. Goldastus:—

Alamannicarum rerum Scriptores aliquot vetusti.

Alamannicarum rerum Scriptores aliquot veteres.

Alamannicarum rerum Scriptores aliquot recentiores.—Francofurti, 1661; folio.

Paraencticorum veterum, Pars 1. In qua producuntur Scriptores, 8. Cum Notis M. H. Goldasti. Ex Bibliotheca B. Schobingeri Adjectæ C. Rittershusii Conjecturæ in Panegyricos veteres. Insulæ, 1604; 4to.

Collectio Constitutiorum Imperialum. M. Goldastus Haimiusfeldius. Francofurti, 1713; 4 vols. folio.

Mronicon Goturcense. Tegernseu. 1732; 2 vols. folio.

Catalogus Bibliothecæ Grammianæ Havinæ, 1748; 8vo.

Origines Genealogicæ, or the Sources whence English Genealogies may be traced from the Conquest to the present time. Stacey Grimaldi. London, 1828; 4to.

W. C. Grimm, Ueber Teutsche Rimen. Gottingen, 1821; 12mo.

Collectio Novissima Scriptorum et Rerum Wirceburgensium, Opera et Studio, T. Gropp. Francofurti, 1741. 1744; 2 vols. folio.

Sylloge I. Variorum Diplomatariorum Monumentorumque veterum ineditorum ad huc, et res Germanicas in primis vero Mogun, et mas Illustrantium. V. F. de Gardenus. Francofurti, 1788, 8vo.

Codex Diplomaticus exhibens Anecdota ab anno 881 ad 1300. Moguntiaca. In lucem protaxit. V. F. de Gudenus. Goettingæ, 1743. 1768; 5 tomi, 4to.

Bibliotheca MSS. Codicum a Marquardo gudio Congesta. Kiel, 1706; 4to.

Catalogus Mstorum quos dum viveret Colligere licuit. M. Gudio. Kiel, 1709; 8vo.

Bibliotheca Lebresiana. S. Guichenon. Lugduni, 1660; 4to.

Gundling, Historie der Gelahrheit. Frankfurt und Leipzig, 1734. 1746; 5 vols. 4to.

Codex Rheno Mosellanus Urkunden Sammlung zur Geschichte der Rhein, und Mosellande, &c. W. Gunther. Coblenz, 1822. 1826; 5 vols. 8vo.

Analecta Medii Ævi Illustranda jura et res Germanicas, edidit F. D. Hæberlin. Norimbergæ et Lipsiæ, 1764; 8vo.

Catalogi Librorum Manuscriptorum in Bibliothecis Galliæ, Helvetiæ, Belgiæ, Britanniæ M., Hispaniæ, Lusitaniæ asservantur, nunc primum editi à J. Hanel. Lipsiæ, 1830; 4to. (2 copies.)

Hagemeirus. Commentarius de Fœdera Civitatum Hanseaticarum. Franc. 1662; 4to.

Von der Hagen, Denmale des Mittelalters. Berlin, 1824; 8vo.

L. F. Hahnii Collectio Monumentorum veterum et recentium ineditorum. Brunsvigæ, 1724. 1786; 2 vols. 8vo.

Hahnius Conspectus Bibliothecæ Regiæ Hanoverianæ. Hanover, 1787; folio.

An Help to English History, containing a Succession of all the Kings of England. R. Hall. London, 1811; 12mo.

Directorium Historicorum Medii potissimum Ævi post M. Freherum et iteratis, J. D. Koeleri curas recognovit, &c. M. G. C. Hambergerus. Gottingæ, 1772; 4to.

Germania Sacra. M. Hansizius. Aug. Vindel, 1727. 1729; 2 vols. folio (2 copies.)

Von der Hardt, Memorabilia Rudolpheæ novæ. Helmstadiensis Bibliothecæ à Rudolpho Augusto Academiæ, suæ Juliæ donatæ; 1702.

Catalogus Codicum Manuscriptorum Bibliothecæ Regiæ Bavaricæ. J. Hardt. Monachii, 1806. 1812; 5 vols. 4to.

Hardreinus, Conciliorum Collectio Regia Maxima. Paris, 1714, 1715; 12 vols. folio.

Catalogue of the Manuscripts in the possession of the Earl of Hardwicke. 1794; 4to.

Hansmann, De Bibliothecis Hanoveranis Publicis. Hanover, 1724; 4to.

Scriptores Rerum Germanicarum. J. M. Heineccii et J. G. Luckfeldi. Cum variis Diplomatibus et Indicibus in unum volumes collecti. Francofurti, 1707; folio.

Catalogus Librorum Bibliothecæ D. Heinsii. Aug. Bat. 1656; 8vo.

Allgemeines Bircher Lexikon. W. Heinsius. Leipzig, 1812, 1813; 4 vols. 4to.

Das Emaligo Fürrstenthum Pfal, Zweibrücken, und seine Herzoge. P. C. Heintz. Erster Theil. München, 1833; 4to.

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Inventarium Diplomaticum Historiæ Saxoniæ inferioris et omnium dictionum Brunsvico Luneburgicarum. P. G. Hempel. Hanover et Leipzig, 1785; Theile in 1 vol. folio.

Hendrisch, Notitia Bibliothecæ quam Fredericus Gulielmus Marchio et Elector Brandenburgicus in Aula sua Coloniæ ad Spream pindavit. Berlin, 1687; 4to.

Hentznerus Itinerarium Germaniæ, Galliæ, Angliæ, Italiæ. Nuremberg, 1629; 12mo.

Genealogia Diplomatica Augustæ Gentis Habsburgicæ. M. Hergott. Viennæ, 1737; 3 vols. folio.

Monumentorum Geielficorum Pars Historica. G. Hess, Cam-pidorii, 178; 4to.

J. Heumanni Commentarii de Re Diplomatica Imperatorum ac Regum Germanicorum inde a Caroli M. Temporibus adornati. Norimbergæ, 1745. 1749; 3 vols.: 4to.

J. Heumanni Opuscula quibus vari Juris Germanici itemque historica et philologica Argumenta explicantur Norimbergæ, 1747; 4to.

Historical Collections, relating the Originals, Conversions and Revolutions of the Inhabitants of Great Britain to the Norman Conquest, in a continued Discourse. London, 1706; 8vo.

Venerabilis Hildeberti Turonensis Archiepiscopi Opera Accesserunt Marbodi Redonensis Archiepiscopi Opuscula Labore et Studio A. Beaugendre.

Mysterium Artis Steganographicæ novissimum. Editum in luam ex Musæo. L. H. Hilleri. Ulmæ, 1682; 8vo.

Hincmari Archiepiscopi Remensis Opera. Cura et Studio, J. Sirmond. Lutetiæ Par., 1645; 2 vols. folio.

Versuch einer Beschreibung sehenswürdiger Bibliotheken Teutschlands. Heraüsgegeben von K. G. Hirsching.

Hispaniæ Bibliotheca, seu de Academiis ac Bibliothecis. Francofurti, 1608; 4to.

Stockerus, Bibliotheca Heilsbronnensis. Nuremberg, 1731; folio.

Nova Scriptorum ac Monumentorum partim rarissimorum partim ineditorum Collectio. C. G. Hoffmannus. Lipsiæ, 1731. 1733; 2 vols. 4to.

S. G. Hoffmanni et H. Oberkamp de Re Diplomatica Lucubrationes. Edidit H. G. Francke. Lipsiæ, 1758; 4to.

Bibliotheca Hohendorfiana. Hague, 1730; 3 tomes, 8vo.

Lucas Holstenius Catalogus Librorum MSS. magis rariorum Bibliothecæ Medicæ.

Hontheim, Historia Trevirensis Diplomatica et Pragmatica, ab anno 418. Augsburg & Würzburg, 1750; 3 vols. folio.

J. H. Hottingeri. Bibliothecarius Quadripartitus. Figuri, 1664; 4to.

H. Hugo de prima scribendi Origine et Universa rei Literariæ Antiquitate, cui Notas, Indices, etc. Adfecit C. H. Trotz, Trajecti ad Rhenum, 1738; 8vo.

English Monastic Libraries. J. Hunter. London, 1831; 4to.

An Index to the Records, with Directions to the several Places where they are to be found, &c. London; 8vo.; (3 copies.)

Index Villaris. London, 1700; folio; (3 copies.)

Index Corporis Historico Diplomatici Livoniæ, Estponiæ, Curoniæ, Riga & Dortpat. 1833. 1835; folio, 2 vols.

The British Historical Intelligencer. Westminster, 1829; 8vo.

Diplomatische Beschreibung der Manuscripte welche sich in der Königl. Universitäts Bibliothek zu Erlangen befinden. I. C. Irmischir. Erster Band. Erlangen, 1829; 8vo.

Historiæ Scoticæ Nomenclatura Latino Vernacula. C. Irvinus. Edinburghi, 1582; 12mo.

Rerum Italicorum Scriptores, ab 1000 ad 1600. Florentiæ, 1748. 1770. 2 vols. folio.

Ivonis Episcopi Carnotensis Epistolæ Parisiis, 1610; 8vo.

Traicté des plus belles Bibliothèques Publiques et Particulieres qui ont esté et qui sont à present dans le Monde. L. Jacob. Paris, 1644; 2 vols. 8vo.

Le Bibliothécaire Universel des plus belles Bibliothèques. L. Jacob. Paris, 2 partes, in 1 vol. 8vo.

Ludovici Jacob a Sancto Carolo, de claris Scriptoribus. Cabilonensibus, libri 3. Parisiis, 1652; 4to.

Vollstandige Beschreibung der Offentlichen Bibliothek zu Bamberg. Von H. J. Jæck. Nurnberg, 1831. 1835; 3 theile, 8vo.

Viele Alphabete und ganze Schriftmuster, vom 8 bis zum 16 Jahrhunderte aus den Handschriften der Offentlichen Bibliothek zu Bamberg. Jæck. Leipzig und Bamberg, 1833; folio.

Systematisches Verzeichniss aller wichtigeren Druckscriften der Offentlichen Bibliothek Qn. Bamberg. H. J. Jæck. Nurnberg, 1834; 8vo.

Petri Jænichii Notitia Bibliothecæ Thorunensis. Jenæ, 1723; 4to.

Janozki, Specimen Catalogi Codicum Manuscriptorum Bibliotheca Zaluscianæ. Dresden, 1752; 4to.

J. F. Joachim's Einleitung zur Teutschen Diplomatik. Halle, 1754; 8vo.

J. F. Joachim's Einleitung zur Teutschen Diplomatik. Halle, 1785; 8vo.

Tabularum Litterarumque veterum usque huc nondum editarum Spicilegium. G. C. Joannes. Francofurti, 1724; 8vo.

Crymogæa sive Rerum Islandoriem, libri 3. Per A. Jonam. Hamburgi; 4to.

Index to Records, called the Originalia and Memoranda, on the Lord Treasurer's Remembrancer's side of the Exchequer. E. Jones. London, 1793. 1795; 2 vols. folio; (2 copies.)

Diversarum Gentium Historiæ Antiquæ Scriptores tres Joinandes, Isidorus Hispalensis, Paulus Warnefudus. F. Lindenbrogius recensuit. Hamburgi, 1611; 4to.

Journal de l'Institut Historique. Paris, 1834, 1835; 2 vols. 8vo.

Bibliotheca Historiæ Litterariæ Selecta, etc. cujus primas lineas duxit, B. G. Struvius. Post variorum Emendationes, etc. opus ita formavit ut fere novum dici queat. J. F. Ingler. Jenæ, 1754. 1763; 3 vols. 8vo.

Juncker Historische Nachricht von der Offentlichen Bibliotheque des Gymnasii zu Eisenach, etc. Eisenach, 1709; 4to.

F. Junii Etymologicum Anglicanum. Oxonii, 1743; folio.

A Dictionary of the Norman or Old French Language, to which are added the Laws of William the Conqueror. R. Kelham. London, 1779; 8vo.

Keyssler, Neueste Reisen durch Deutschland, Bohmen Ungarn, die Schweiz, Italien und Lothringen. Hanover, 1751; 4to.

Kitschins, Tabella Titulorum Bibliothecæ. Anhaldinæ. 1609; 12mo.

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Catalogus Librorum quos olim possedit. T. de Klevenfeldt. Hafniæ, 1777; 8vo.
T. D. Köhlers Anweisung fur Reisende Gelehrte. Frankfurt und Leipzig, 1762; 8vo.
Kollarius Analecta Monumentorum omnis Ævi Vindobonensia. Vindobonæ, 1761, 1762; 2 vols folio.
Kollarius, ad Lambecii Commentariorum Libros octo Supplementum. Liber primus posthumus. Vindobonæ, 1790; folio.
Palæographia Critica. U. F. Kopp. Mannheim, 1817. 1829; 4 vols. 4to.
Krantz, Memorabilia Bibliothecæ Publicæ Elisabethanæ Wratislaviensis, Rehdigerianæ dictæ. Wratislaviæ, 1699; 4to.
Krauss, Bibliothecæ Principalis Ecclesiæ et Monasterii, ord. S. Benedicti ad S. Emmeranium Epis. et Mart. Ratisbon, 1748; 4 vols. 12mo.
C. J. Kremer's Geschichte des Rheinischen Franziens unter den Merovingischen und Karolingischen Konigen bis in das Jahr 840. Herausgegeben von A. Lamey. Manheim, 1778; 4to.
Bibliotheca Mellicensis seu Vitæ et Scripta Benedictinorum Mellicensium, auctore M. Kropff, qui etiam Catalogum Selectorum nonnullorum Manuscriptorum addidit. Vindobonæ, 1747; 4to.
Kundmannus, Academiæ et Scholæ, Germanæ, præcipue Ducatus Silesiæ, cum Bibliothecis in Mummis. Wratislaviæ, 1741; 4to.
Nova Bibliotheca Manuscriptorum Librorum. Opera ac Studio P. Labbe. Parisiis, 1657; 2 vols. folio.
P. Labbis nova Bibliotheca MSS. Parisiis, 1653; 4to.
Sacrosancta Concilia. Studio P. Labbis et G. Cossartii. Lutetiæ, Par. 1671, 1672; 18 vols. folio.
Petrus, Prodromus Historiæ Litterariæ. Hamburgi, 1654; folio.
Lambecius, Commentarii de Bibliotheca Cæsarea, Vindobonensi. Vindobonæ, 1665. 1679; 8 vols. folio.
Lambecius, Commentarii, etc. Op eraet studio A. F. Kollarii. Vindobonæ, 1766, 1782; 8 vols. folio.
Lambecius. Diarium Iteneris Cellensis, Prodromus Historiæ Litterariæ. Lipsiæ et Francofurti, 1710; folio.
Merkwaerdige Gebeurtenissen, vooral in Vlaenderen en Brabant, van 1377, tot 1443. Olivier van Dixmunde. Verrykt met eone Voorede, &c. door T. T. Lambin. Ypre, 1835; 4to.
Catalogus Codicum MSS. qui in Bibliotheca Riccardiana Florentiæ Adservantur. J. Lamius Liburni, 1756; folio.
Notitia Manuscriptorum Rehdigeriand Bibliothecæ a Cl. Bibliothecario G. Krantz io summa cum fi et dexteritate A. 1695, 18 Nov. seq. tradita, communicato vero illius autographo descripta manu. J. E. Lammeri, 1718, 1719; 4to.
G. Lammers, Catalogus Librorum Universitatis Groningæ et Omlandæ. Groningæ, 1664; folio.
Lanfranci Cantuariensis Archiepiscopi Opera Omnia. Lutetiæ, Par. 1648; folio.
Scriptores Rerum Danicarum Medii Ævi, J. Langebeck. P. F. Suhin. Hafniæ, 1772. 1792; 7 vols. folio.
Codex Principis olim Laureshamensis Abbatiæ Diplomaticus, ex Ævo maximo Carolengico diu multumque desideratum. Edidit, recensuit, etc. Academia Theodoro Palatina Mamshemii, 1768. 1770; 3 vols. 4to.
Ordonnances des Roys de France de la Troisième Race. M. de Laurière. M. de Vilevault. Paris, 1723. 1757; 19 vols. folio.
De Gentium aliquot Migrationibus. W. Lazius. Francofurti, 1600; folio.
Oliverii Legipontii Dissertationes Philologico Bibliographicæ. Norimbergæ, 1747; 4to.
Codex Juris Gentium. Leibintz, 1747; folio, (2 copies).
G. G. Leibintii Accessiones Historicæ. Lipsiæ, 1668; 4to.
G. G. Leibintii cura. Scriptores Rerum Brunsvicensiunc. Hanoveræ, 1707. 1711; 3 vols. folio.
G. G. Leibintii Mantissa Codicis Juris Gentium Diplomatici Guelferby, &c.; 1747; folio.
Origines Guelficæ, Opus Præcunte, G. G. Leibintio stilo F. G. Eccardi litteris consignatum, postea. J. D. Grubero Animadversionem ibus, &c. Castigatum, jam vero in lucem emissum a C. L. Schedio. Hanoveræ, 1750. 1780; 5 vols. folio.
Codex Jurjs Gentium Diplomaticus. G. G. Leibintius. Hanoveræ, 1693; folio.
Leibintius Inclytæ Bibliothecæ Norimbergensis Memorabilia. Norimbergæ, 1674; 12mo.
Bibliothèque Historique de la France. J. Lelong. Revere, etc. par M. Fevrat de Fontette. Paris, 1771. 1778; 5 vols. folio.
Archives Historiques et Littéraires du Noro. de la France, et du Midi de la Belgique.
Leon, Kurtzgefasste Beschreibung der K. K. Hoff-Bibliothek in Wien. Wien, 1820. 12mo.
Leonard Recueil des Traitz de Paix de Tréve, de Neutralité, etc. Paris, 1690; 6 vols. 4to.
Leonis I. Papæ Epistolæ quæ quidem hactenus reperiri potuerunt omnes. Lovanii, 1566; 12mo.
L. Lessis Opera. Antverpiæ, 1603; 8vo. Petris Abbatis Cellensis Epistolarum, libri 9. Lutetiæ Par. 1613; 8vo.
A Topographical Dictionary of England. S. Lewis, London, 4 vols.; 4to. (3 copies).
Archæologia Britannica. E. Lhuyd. Oxford, 1707; folio.
Diplomatarium Suecanum, collegit et edidit J. C. Liljegren; vol. 1. Holmiæ, 1829; 4to.
E. Lindenbrogii Scriptores Rerum Germanicarum Septentrionalium. Hamburgi, 1706; folio.
Justus Lipsius de Bibliothecas Syntagma. Antverpiæ, 1613; 2 vols. folio; 1637, 4 vols. folio.
Theorie de Loix Politiques de la Monarchie Française. Lizardière. Paris, 1792; 8vo. 8 vols.
Niromberger Jahrbircher. Herausgegeben von G. W. K. Lochner. Erstes Heft. Nurnberg, 1833; 4to.
Londorpius, Acta Publica, etc. der Kayserlichen Majestät, etc. Frankfurt, 1668. 1721; 19 vols. folio.
Londorpius, suppletus et continuatus sive Acta Publica oder allerhan denk' wärdige scrifteiche Handlungen, etc. Frankfurt and Leipzig, 1739. 1744; 4 vols. folio.
Lucius Catologus Bibliothecæ Publicæ Moeno Francofurtensis. Francofurti, 1728; 4to.
Reliquiæ Manuscriptorum omnis Ævi Diplomatum ac Monumentorum, ineditorum adhuc. Ex Musio T. P. Ludewig. Francofurti et Leipsiæ, 1720. Halæ, 1741; 12 vols. 8vo.
Lünig, Publicorum Negotiorum ab Augustissimo Romanorum Imperatore universis Europæ Regibus, etc. Francofurti et Lipsiæ, 1694; 4to. Ejusdem Continuatio, etc., 1702; 2 vols. 4to.
Literæ Procerum Europæ. Editæ a J. C. Lünig. Lipsiæ, 1712; 3 vols. 8vo.
Lünig, Orationes Procerum eorundemque Ministrorum, etc. Lipsiæ, 1713; 3 parts, 8vo.

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No. 5.

Books purchased for use of the Commission.

Lünig, Die Teutsche Reichs Cantzley. Leipzig, 1714; 8 parts, 8vo.
Lünig, Das Teutsche Reichs Archiv. Leipzig, 1713. 1722; 24 vols. folio.
Lünig, Europäische Staats Consitia. Leipzig, 1715; 2 vols. folio.
Codex Italiæ Diplomaticus. Collegit, T. C. Lünig. Francofurti et Lipsiæ, 1725. 1735; 4 vols. folio.
Codex Germaniæ Diplomaticus. T. C. Lünig. Francofurti et Lipsiæ, 1732, 1733; 2 vols. folio.
Bibliotheca Luxdorpiana. Havniæ, 1789; 2 vols. 8vo.
Scriptores duo Anglici de Vitig Pontificum Romanorum. Videlicet, Rob. Barns & Joh. Baleus, quos a Venebris vindicavit et usque ad Paulum V. continuavit. J. M. Lydius. Lugæ Bat., 1615; 8vo.
Acta Sanctorum Ordinis S. Benedicti, L. d'Achery, J. Mabillon, et T. Ruinart. Lutetiæ Par. 1668. 1701; 9 vols. folio.
Mabillon, Museum seu Collectio Veterum Scriptorum ex Bibliothecis Italicis. Parisiis, 1687; 2 vols. 4to.
Traité des Etudes Monastiques. J. Mabillon. Paris, 1691; 8vo.
Histoire des Contestations sur la Diplomatique, avec l'Analyse de cet ouvrage, composé par J. Mabillon. Paris, 1708; 12mo.
J. Mabillonii Iter Germanicum, N. J. Launonii de Scholis celebribus a Carolo M. N. post Carolum M. in Occidente inetauratis liber. Accedunt Facultas Parisiensis de Doctrina pronuncians et veteres formulæ protestationum, Romæ a Pontificibus in Parisiensi et quibusdam abiis academiis a Doctoribus fieri solitarum Præmissa est Præfatio. J. A. Fabricii. Hamburgi, 1717; 8vo.
Vetua Analecta, Cum Itivere Germanico. J. Mabillon. Parisiis, 1723; folio.
Annales Ordinis S. Benedicti Occidentatium Monachorum Patriarchæ. T. Mabillon. Lutetiæ, Parisiorum, 1703. 1739; 6 vols. folio.
Mabillon, Liturgia Romana Vetus. Venetiis, 1748; folio.
Ouvrages posthumes de J. Mabillon et de J. Ruinart V. Thuillier. Paris, 1724; 3 vols. 4to.
J. T. Maderus, De Bibliothecis atque Archives. Helmstadii, 1666; 4to.
De Bibliothecis atque Archivis virorum clarissimorum Libelli et Commentationes. J. T. Maderus. Helmestadi, 1702; 4to.
Fomulare Anglicanum; or a Collection of Ancient Charters and Instruments of divers kinds, taken from the originals. Madox. London, 1702; folio.
Madox, History and Antiquities of the Exchequer. London, 1769; 2 vols. 4to.
The History and Antiquities of the Exchequer. Madox. London, 1711; folio (3 copies.)
Istoria Diplomatica, che serve d'Introduzione all, arte critica in tal materia. S. Maffer. Mantova, 1727; 4to.
Congregationis Anglicanæ Ordinis S. Benedicti Patriarchiæ Trophæa. Collecta per E. Maiheu. Remis, 1625; 3 vols. 4to.
B. Malinkrot. Catalogus Librorum qui Coloniæ editi sunt. Parisiis, 1524; 4to.
Scriptores Rerum Lusihicarum antiqui et recentiores. C. Manlius. Lipsiæ et Budissæ, 1719; folio.
Scipionis Marantæ Expostulatio in Bartholomæum Germonium pro antiquis diplomatibus, & codicibus manuscriptis. Messanæ; 8vo
Marier et Quercetanus, Bibliotheca Cluniacensis. Parisiis, 1614; folio.
I Papiri Diplomatici, raccolti ed illustrati dall Abbate Gaetano Marini. Roma; folio.
Epistolæ Gerberti, postea Romani Pontificis Silvestri II. Parisiis.—Epistolæ Joannis Saresberiensis. —Epistolæ Stephani Episcopi Tornacencis.—Nunc primum editæ e Bibliotheca. P. Massoni. Parisiis, 1611; 4to.
Thesaurus norres Anecdotorum. E. Martine et U. Durand. Lutetiæ Par.; 5 vols. folio.
Veterum Scriptorum et Monumentorum Historicorum, Dogmaticorum, Moralium Amplissima Collectio. E. Martine et U. Durand. Parisiis, 1724. 1733; 9 vols. folio.
Martens Recueil des principaux Traités d'Alliance, de Paix, etc. Gottingen, 1791. 1801; 7 vols. 8vo.
Index to various Records in the Court of Exchequer. A. Martin. London, 1819; 8vo.
A Bibliographical Catalogue of Books, privately printed. J. Martin. London, 1834; 8vo.
Matthæi Index Manuscriptorum Græcorum Bibliothecarum Mosquensium Sanctissimi Syodi Ecclesiæ Orthodoxæ Græco Rossicæ. Petersburgh, 1780; 4to.
Veteris Ævi Analecta seu vetera monumenta hactenus nondum visa. Edidit A. Matthæus. Hagæ Comitum, 1738; 10 vols. 4to.
Krabani Mauri Opera, a Georgio Calvinerio. Colon. 1627; 3 vols. folio.
Zeitschrift für Archivkunde Diplomatik und Geschichte. Herausgegeben, von L. F. Hoefer, H. A. Erhard, und L. B. von Medem. Hamburgh, 1833, 1834; 3 Hefte; 8vo. 1 vol.
Rerum Germanicarum, tomi 3. Edidit H. Meibomius. Helmæstadii, 1688; in 2 vols. folio.
Chronicon Benedictoburanum. Opera et Studio C. Meichelbeck. Opus posthumum in lucem prodit A. Haidenfeld. Benedictoburi, 2 parts in 1 vol. folio,
Notes of Charters, &c., by the Right Honourable Thomas Earl of Melrose, afterwards Earl of Haddington, to the Vassals of the Barony of Diem. From 1615 to 1627. Edinburgh, 1830; 4to.
Memoirs pour servir à l'Histoire Litteraire des Pays Bas. Louvain, 1763. 1770; 18 vols. 12mo.
Memorias para a Historia das Inquiricões dos primeiros Reinados de Portugal. Lisboa, 1815; 4to.
Memorias de la Real Academia de la Historia. Madrid, 1796. 1821; 6 vols. 4to.
Memorials of the English Affairs; or an Historical Account of what passed from the beginning of the Reign of King Charles 1 to King Charles 2 his happy Restauration. London, 1682; folio.
Memorials and Letters relating to the History of Britain in the Reign of James 1 and Charles 1. Glasgow, 1766; 2 vols. 8vo.
Scriptores Rerum Germanicarum 1, Præcipue Saxonicarum Edidit. J. B. Menckennis. Lipsiæ, 1728. 1730; 3 vols. folio.
Diplomatisches Lesebuch. E. C. Mereau Erster Theil, mit civern Bande Kupperhafeler. Jena, 1791; 4to.
Escuela de leer Letras cursivas Antiguas y Modernas. A. Merino. Madrid, 1780; folio.
Messager des Sciences et des Artes de la Belgique, ou Nouvelles Archives Historiques, Littéraires et Scientifiques. Gand, 1832. 1835; 4 vols. 8vo.
Bibliotheca Historica. Instructa a B. G. Shruvio, aucta a C. G. Budero, nunc vero a J. G. Marcello ita digesta, amplificata et emendata, sit pæne novum opus videri possit. Lipsiæ, 1782. 1802; 11 vols. 8vo.

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No. 5.
Books purchased for use of the Commission.

Teutsches Künstler Lexikon. Nebst einem Verzeichniss sehenswürdiger Bibliotheken. J. G. Mensel. Lemgo, 1808. 1814; 3 vols. 8vo.

Archis für Stoots und Kirchengeschichte der Herzogthumer Schleswig, Holstein, Lauenburg. Redigert von A. L. J. Michelsen und J. Asmassen. Altona, 1833; 8vo.

Urkunden Buch zur Geschichte des Landes Dithmarschen. Gesamelt von A. L. T. Michelsen. Altona, 1834; 4to.

Bibliothecæ Cantabrigiensis ordinandæ methodus quædam Conyers Middleton. Cantabrigiæ, 1723; 4to.

Francis van Mieris, Groot Charter Book van Holland, Zeeland en Vriesland, tot de dood der Gravin Jacoba van Bajeren. Leyden, 1753. 1756; folio.

Auberti Miræi Opera Diplomatica et Historica. J. F. Foppens Notas et Indicis addidit, Diplomata plura hactenus inedita adjunxit, etc. Lovain, 1723; Bruxellis, 1743; 4 vols. folio.

Originum Monasticarum, Libri 4. Anbertus Miræus. Coloriæagr, 1620; 8vo.

Miscellanea Historica de Rebus Anglicis; 4to.

Miscellaneorum ex MSS. Libris Bibliothecæ Collegii Romani Societatis Jesu. Romæ, 1754. 1757; 2 vols. 4to.

Bibliotheca Codicum MSS. Monasterii S. Michaelis Venetiarum prope Murianum una cum Appendice librorum impressorum Secuti XV. Opus Posthumum J. B. Mittarelli. Venetiis, 1779; folio.

Moellerus, Catalogus Librorum tam Manuscriptorum quam Impressorum qui jussu, Divi Augusti Ducis Saxo Gothani a Beato Leezenio in Oriente anti in Bibliotheca Gothana asservantur. Gotha, 1825, 1826; 4to.

Traité de l'Arrangement des Archives, etc. Par M. Le Moine. Metz, 1765; 4to.

Breve fra Lverrige. C. Molbech. Kibbenhavn, 1814. 1817; 3 vols. 8vo.

Om offentlige Bibliotheker. Bibliothecarer, og det, man har haldet Bibliotheksvidenskab. C. Molbech. Kiöbenhavn, 1829; 8vo.

Fortegnelse over de paa Pargament trykkede Böger i det store Kongelige Bibliotheke, etc. C. Molbech. Kiöbenhavn, 1830; 8vo.

Ueber Bibliothekwissenschaft oder Einrichtrius und Verwaltrius Offentlicher Bibliotheken, von C. Molbech. Uebersetzt, von H. Ratjen. Leipzig, 1833; 8vo.

J. Molleri Cimbria Literati. Havniæ, 1744; folio, 3 vols.

Recensio Librorum quos relinquebat, B. Möll-manus. Havniæ, 1783; 8vo.

Catalogus Librorum Bibliothecæ Academiæ Lausannensis. Lausannæ, 1792. Cum duobus Supplementis, Ann. 1800 et 1812. Supplementum tertium, 1829. C. Monnard. 8vo.

Diarium Italicum. B. de Montfaucon. Parisiis, 1702; 4to.

Bibliotheca Bibliothecarum Manuscriptorum nova. B. de Montfaucon. Parisiis, 1739; 2 vols. folio.

Dictionnaire Diplomatique, ou Etymologies des Termes des Bas Siècles. M. Montignot. Nancy, 1787; 8vo.

Monumenta Boica. Edidit Academ. Scient. Monadin, 1763. 1834; 30 vols. 4to. (2 copies.)

Monumenti Ravennati de Secoti di Mezzo par la maggior parte inediti. Venezia, 1801. 1804; 6 vols. 4to.

Estratto delle Dissertazioni del Morcelli sullo scrivere degli antichi Romani. Roma, 1823; 8vo.

Mortrofi Polyhistor. 4to. Lubec, 1741.

Catalogue of Manuscripts in the Library of the College for Foreign Affairs in Moskwa. Moskwa, 1813. 1828; 4 vols. folio.

Bibliotheca Heraldica Magnæ Britanniæ. T. Moule. London, 1822; 8vo.

Littera Critica sopra un manoscritto in cera. A. Colchi Mugellano. Firenze, 1746; 4to.

M. C. G. Mueller. Notitia et Recensio Codicum MSS. qui in Bibliotheca Episcopatus Numbergocizensis asservantur. Lipsiæ, 1806. 1811; 8vo.

Catalogus der Bürger Bibliothek der Stadt Schaffhausen Verzeichniss der Büchersammlung, von J. G. Mueller. Schaffhausen, 1824; 8vo.

Antiquitates Italicæ Medii Ævi. L. A. Muratorius. Mediolani, 1738. 1742; 6 vols. folio.

Rerum Italicarum Scriptores. L. A. Muratorius. Mediolani, 1723. T. B. Mittarelli. Venetiis, 1771; 26 vols. folio.

De Murr, Beschreibung der vornehmston, Merkwürdigkeiten in Nürnberg und aug der hohen Schule zu Altdorf. Nuremberg, 1778; 8vo.

De Murr, Memorabilia Bibliothecarum Norumbergensium et Universitatis Altdorfinæ, (3 parts.) Norimbergæ, 1786. 1791; 8vo.

Memorabilia Academiæ Jenensis. J. C. Mylius. Jenæ et Weissenfelsæ, 1746; 8vo.

Notitiæ, Origines domus Boicæ Seculis 10 et 11. A. Nagel. Monachii, 1804; 8vo. (2 copies.)

Description du Pays et Duché de Normandie, appellée anciennement Neustrie. Extraict de la Cronique de Normandie, faicte par feu J. Nagerel.

Catalogus Codicum MSS. Bibliothecæ Cæsariæ Vindobonensis. D. de Nessel. Vindobonæ et Norimbergæ, 1690; 2 vols. folio.

Codex Diplomaticus Alemanniæ et Burgundiæ Transjuranæ intra fines Diocesis Constantiensis an Fundamentum ejusdem Diocesis. Edidit Neugart. San Beasii, 1791. 1795; 2 vols. 4to.

Neumannus, Epistola de Bibliotheca Halensii. Halæ, 1710, 4to.

Fasti Ecclesiæ Anglicanæ, or an Essay towards deducing a regular succession of all the Principal Dignitaries in each Cathedral, Collegiate Church or Chapel in England and Wales. John Le Neve. 1716; folio.

De Controversia in Curia Militari inter Ricardum le Scrope et Robertum Grosvenor, Milites. Sir H. N. Nicolas. Londini, 1832; 2 vols. 4to.

The English, Scotch and Irish Libraries. W. Nicolson. London, 1736; folio, (2 copies.)

Münsterischi Urkundensammlung. F. Niesert. Coesfeld; 4 vols. 8vo.

Urkundensammlung zur Geschichte der Herrschaft Steinford. J. Niesert. Coesfeld, 1834, 1835; 2 vols. 8vo.

De Charta ejusque usu apud antiquos.

F. M. Nigrisoli Epistola ad Liborium Brixianum. Venetiis, 1669; 12mo.

Gedenkwaardigheden rut de Geschridenis van Gelderland. J. A. Nijhoff. Arnhem, 1830; Eceste Deel; 4to.

Nikolai Reise durch Deutschland und die Schweitz. Berlin und Stettin, 1783. 1787; 8 vols. 8vo.

Noms Feodaux, ou Noms de ceux qui ont tenu Fifes en France. Paris, 1826; 2 vols. 8vo.

Memoires

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No. 5.
Books purchased for use of the Commission.

Memoires de la Société des Antiquaires de la Normandie. Caen et Paris, 1824. 1833; 10 vols. 8vo.; plates in folio.

Spicilegium Bibliographicum E. Nyerup. Havniæ, 1782.

Bücher und Schriften der Lesegesellschaft in Zuzern. 1821.

Recensio Manuscriptorum Codicum Bibliothecæ. Vaticanæ. Lipsiæ, 1803.

Beiträge zur Kenntniss der Bibliothek S. Michaelis in Lüneberg. A. Martini, 1827.; 8vo.

R. Nyerups Reiser til Stockholm i Aarene, 1810, oz. 1812. Kiöbenhavn, 1816; 8vo.

Miscella Litteraria Maximam partem Argentoratensia. J. T. Oberlinus. Argentorati, 1770; 4to.

Artis Diplomaticæ Primæ Linæ in usum auditorum duxit. J. T. Oberlinus.

Observations on the Statutes, chiefly the more ancient, from Magna Charta to the 21st of James I. Ch. xxvii.; with an Appendix. London, 1766; 4to.

Rerum Hibernicarum Scriptores veteres. C. O'Conor, Buckinghamiæ, 1814; 3 vols. 4to.

A descriptive Catalogue of the Manuscripts in the Stowe Library. C. O'Conor. Vol. I., Buckingham, 1818; 4to.

Rerum Boicarum Scriptores nusquam antehac editi. A. F. Oefelius. Aug. Vindel, 1763; 2 vols. folio.

Ideen einer Theorie ber Archivwissenschaft. J. A. Oegg. Gotha, 1804; 8vo.

Oelrichs Entwrirf einer Geschichte der Koniglichen Bibliothec zu Berlin. Berlin, 1752; 8vo.

Olerin, Essai sur un Nouvel Ordre Bibliographique pour la Bibliothèque Imperiale. St. Petersburg, 1809; 4to.

Casimiri Oudini Commentarius de Scriptoribus Antiquis, etc. Francofurti, 1722; 3 vols. folio.

Prosopographia Herorum atque Illustrium Virorum totius Germaniæ. H. Pantaleo. Basilæ, 1565, 1566; 3 partes, 1 vol. folio.

Analecta ad Historiam seissi Belgii potissimum attinentia. Collegit, digessit, Notisque illustravit. C. P. Hoynck van Papendrecht. Hagæ Com. 1743; 6 vols. 4to.

Catalogus Librorum Manuscriptorum quos Collegio corporis Christi et B. Mariæ Virginis in Academia Cantabrigiensi legavit. M. Parker. Edidit, J. Nasmith. Cantabrigæ, 1777; 4to.

Codices MSS. Bibliothecæ Regii Taurinensis Athenæi. J. Pasinus. Taurini, 1749; folio.

Tatin, Voyages en Allemagne, Angleterre, Hollande, Boheme, Suisse, &c. Amsterdam, 12mo.

Recueil de Titres et autres Pieces justificatives employés dans le Mémoire sur la Constitution Politique de la Ville et Cité de Perigueux, &c. Paris, 1775; 4to.

Archiv der Gesellschaft fur altere Deutsche Geschichthuade. Herausgegeben von T. L. Büchler. J. G. Dümge. G. H. Pertz. Frankfurt, 1819. Hanover, 1831; 6 vols. 8vo.

Monumenta Germaniæ Historica. Edidit G. H. Pertz. Hannovriæ, 1826. 1835; 3 vols. folio.

Recherches sur les Bibliothèques Anciennes et Modernes, jusqu'a la fondation de la Bibliothèque Magazin. L. C. F. Petit Nadel. Paris, 1819; 8vo.

Petri Venerabilis cluniacensis quondam abbatis opera haud vulgari. Cura et labore Petri de ronte Martyrorum. Parisiis, 1522; 4to.

Petri Abbatis Cellensis Epistolarum, libri 9. Item Alexandri III. Papæ ad Petrum eundem it alios Epistolæ 56. Lutetiæ Par. 1613; 8vo.

Petri de Vineis Epistolarum, libri 6. Ambergæ, 1609; 8vo.

Petri de Vineis Epistolarum, libri 6. Cuavit J. R. Iselius. Basilæ, 1740.

Petri Blesensis Pathomiensis in Angliæ Archdiaconi Opera Omnia. Parisiis, 1667; folio.

Sueva Ecclesiastica. R. D. F. Petrus. Aug. Vindel, et Dilingæ, 1699; folio.

Scriptores Rerum Austricarum veteres ac genuini. R. D. P. H. Petz. Lipsiæ, 1721. 1755 3 vols. folio.

B. Pezii Bibliotheca ascertica antiquo nova. Ratisbonæ, 1723. 1740; 12 vols. 8vo.

Thesaurus Anecdotorum novissimus, ita veterum Monumentorum, præcipue Ecclesiasticorum, ex Germanicis portissimum Bibliothecis, adornata Collectio recentissima. B. Pezius. Aug. Vindel. et Græii, 1721. 1729; 6 vols. folio.

Antonius de Leone Pinello. Epitome Bibliothecæ. Madriti, 1629; 4to.

Rerum Germanicarum Scriptores aliquot insignes. Collectore J. Pistorio Nidano. Curante B. G. Henvio. Ratisbonæ, 1726; 3 vols. folio.

T. Pitseus. De Rebus Anglicis. Parisiis, 1619; 4to. (3 copies.)

Polonicarum Rerum Latini recentiores et veteras Scriptores quotquot extant. Basilæ; folio.

Pontificale Romanum summorum Pontificum. Urbini, 1818; folio.

De furtivis literarum notis vulgo de Ziferis libri quinque. T. P. Porta. Neapoli, 1602; 4to.

Direction for Search of Records remaining in the Chancerie Tower, Exchequer. T. Powell. London, 1622; 4to. (3 copies.)

Pratie, Die Herzogthümer Bremen und Verden. Bremen, 1757. 1762; 6 vols. 8vo.

Catalogue des Livres de la Bibliothèque Publique fondée par M. Prousteau. Paris et Orleans, 1777; 4to.

Diplomataria sacra Ducatus Styriæ, olim Collegit. S. Pusch. Edidit auxitquo. E. Froelich. Vienne, Pragæ, Tergesti, 1756; 2 vols. 4to.

Scriptores Ordinis Prædicatorum recensiti, Notisque illustrati. Inchoavit, R. P. F. T. Quetef. absoluit. R. P. F. T. Echard. Lutetiæ Par. 1719. 1721; 2 vols. folio.

Bavaria Sancta, Matthæus Raderus, 1615. 1617. Olium per R. Sadeler venum exposita, et nunc recusa sumptibus. J. C. Bencard. Monachii, 1704; 3 vols. folio (2 copies.)

Bavaria Piæ, Matthæus venum exposita, et nunc recusa sumptibus. J. C. Bencard, 1704; folio.

Ausführliche Schreibungslehre der Teutschen Sprache. J. G. Radlof. Frankfurt, 1820; 8vo.

Kurtzgefasste Beschreibung der Nürnbergischen Stadt-bibliothek mit einigen Bezlogen und dem Abdruck einer Handschraft. Von G. C. Raumer. Nürnberg, 1821; 8vo.

Histoire d'Angleterre, M. de Rapin Thoyras. Haye, 1724. 1736; 13 vols. 4to.

Abrégé Historique de ce qui est contenu dans les Actes publics et imprimés a Londres en 1704, &c.; recueilles par T. Rymer. Rapin de Thoyras. Amsterdam, 4to.

Acta Regia, or on account of the Treaties, Letters and Instruments between the Monarchs of England and Foreign Powers. Translated from the French of M. Rapin, as published by Le Clerc. London, 1727; 4 vols. 8vo.

Sammlung ungedeneckter Urkunden zur Brandenburgischen Geschichte. Herausgegeben von G. W. von Raumer. Berlin, Stettin & Elbing, 1831. 1833; 2 vols. 4to.

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No. 5.
Books purchased for use of the Commission.

Alexander Raynaldus, Index Librorum Manuscriptorum Latinorum, qui ex Spoliis Electoris Palatini et Heidelberga in Vaticanam. Bibliothecam, anno 1623 advecti sunt.

Bibliothecæ Cleri Londinensis in Collegio Lionensi Catalogus. G. Reading. Londoni, 1724; folio.

Recueil de divers Traitez de Paix, de Commerce, &c. faits depuis soixante ans entre les Etats Souverains de l'Europe. A la Haye, 1707; 2 vols. 12mo.

Historical Account of the Institution and State of the General Register Office of Scotland, 1815; olio.

Some Account of the General Register House of Scotland. 1817; folio.

Supplement à l'Art de verifier les Dates, et aux divers Recueils Diplomatiques, ou Mémoire sur quelques anciens Fiefs. Par le Baron de Reiffenberg. Bruxelles, 1834; 4to.

Reimannus, Bibliotheca Acromatica, Theologica, Juridica, Medica, Philosophica, Historica et Philologica. Hanover, 1712; 8vo.

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Witichindi Monachi Corbeiensis Annalium libri treg. Opera et Studio. H. Meibomii, Francofurti, 1621.

Chronici Ditmari Episcopi Mersepurgii, libri 7, nunc primum in lucem editi. R. Reinccius. Francofurti, 1580; folio.

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Lettres et Memoires d'Etat. J. Ribier. Paris, 1666; 2 vols. folio.

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Bibliotheca Rostgardiana, in duas partes divisa. Hafniæ, 1726; 8vo.

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Rotoli de Dominabus et Pueris et Puellis de Donatione Regis in 12 Comitatibus. Londini, 1830; 4to. (2 copies.)

Histoire de l'Abbaye Royale de S. Oven de Rouen. Par un Religieux Benedictine. Rouen, 1662; folio.

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Recueil Historique d'Actes, Negociations, Memoires et Traités, depuis la Paix d'Utrecht jusqu'au second Congrès de Cambray inclusivement. Par M. Rousset. A la Haye, 1728; Amst. 1748. 19 vols. in 21, 12mo.

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J. T. de Rusdorff, Consilia et Negotiæ Politica. Accedit Epistolarum Familiarium ejusdem Autoris Collectio. Ex Bibliotheca Locniana. Francofurti, 1725; folio.

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Casparis Sagittarii Antiquitates Thuringiæ. Terra, 1685; 4to.

Gallia Christiana. D. Samarthannies. Parisiis, 1716. 1785; 13 vols. folio.

A. Sanderus, Dissertatis Parænetica pro Institutione Bibliothecæ Publicæ Gandavensis. Bruxelles, 1631; 4to.

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Jos. de Sartori. Catalogus Bibliographicus Librorum in Bibliotheca Cæs. Reg. et Equestris Academiæ Therisanæ extantium. Viennæ, 1801. 1806; 13 vols. 4to.

Sartorius, Geschichte des Hanseatischen Bundes. Gottingen, 1802, 1808; 3 vols. 8vo.

G. F. Sartorius. Urkundliche Geschichte des Ursprunges der Deutchen Hanse. Herausgegeben von J. M. Lappenberg. Hamburg, 1830; 2 vols. 4to.

The Librarian. J. Sauvage. London, 1808, 1809; 3 vols. 8vo.

Sanbertus, Historia Bibliothecæ Noribergensis duabus oratiunculis illustrata. Norimbergæ, 1643; 12mo.

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Cronique de Flandres, anciennement composée, et nouvellement mis en lumière. Par D. Sauvage. Lyon, 1562; folio.

Continuation

Appendix (C.)

No. 5.
Books purchased for use of the Commission.

Continuation de l'Histoire et Cronique, etc.
Les Mémoires de Messire Olivier de la Marche, &c.
C. F. Schannat. Vindemiæ Literariæ. Fuldæ et Lipsiæ, 1783; folio.
Diocesis Fuldensis cum annexa sua Hierarchia, etc. J. F. Schannat. Francofurti, 1727; folio.
Concilia Germaniæ, quæ C. J. F. Schamat magna ex parte primum Collegit, dem P. T. Hartzheim, continuavit, etc. Col. agr. 1759. 1761; 4 vols. folio.
Rerum Germanicarum Scriptores, varii, olim a S. Schardio in 4 Tomos, collecti opera. H. Thomæ Augustan. Giessæ, 1673; folio.
Scheibel. Nachrichten von den Merckwurdigkeiten der Rehdigerischen Bibliothek zu Breslau. Breslau, 1794; 4to.
J. Schefferi Svecia Literati seu de Scriptis et Scriptoribus Gentis Sueciæ. Opus posthumum, editum a T. Mollero. Hamburgi, 1698; 12mo.
Anleitung fur Bibliothecare und Archivare. Von J. G. Schelhorn. Ulm, 1788. 1791; 2 vols. 8vo.
F. Scheretzius. Catalogus rarissimorum Librorum, Bibliothecæ Weimanni. Lugd. Bat., 1663; 4to.
Scheuchzerus. Alphabeti ex Diplomatibus et Codicibus Thuricensibus Specimen. Zurich, 1730; folio.
Scheuchzerus. Hinera per Helvetiam. Leyden, 1723; 4 vols. 4to.
Schiada. Arcana, Bibliothecæ Synodalis Typographiæ Moscuensis sacra tribus Catalogis Codicum Græcorum retecta. Lipsiæ, 1724; 8vo.
J. Schitteri. Thesaurus Antiquitatum Teutonicarum, Ecclesiasticarum, Civilium, Litterarium nemæ. 1728; 3 vols. folio.
Versuch eines vollstandigen Systems der Allgemeinen besonders älterem Diplomatik. C. T. G. Schönemann. Hamburg, 1801, 1802; 2 vols. 8vo.
Codex für die practische Diplomatik zum Behuf seiner Vortesungen herausgegeben. Von C. T. G. Schönemann. Göttingen, 1800. 1803; 2 vols. 8vo.
Schönemann. Bibliothecæ Augustæ sive Notitiarum et Excerptorum Codicum Wolffenbuttelanorum Specimen. Helmstadt, 1829; 4to.
J. D. Schoefflini Alsatia Ævi Merovingici, Carolingici Saxonici Salici, Svevici Diplomatica. Mannhemii, 1772. 1775; 2 vols. folio (2 copies.)
Diplomatische und curieuse. Nachlese der Historie von Ober Sachsen und Angrentzenden Ländern. C. Schöttgen und G. C. Kreysig. Dresden und Leipzig, 1730. 1733; 11 Theile, in 3 vols. 8vo.
Diplomataria et Scriptores Historiæ Germanicæ Medii Ævi. Opera et Studio C. Schoetgenii et G. C. Kreysigii. Accedit Præfatio. C. G. Buderi. Altenburgi, 1753. 1760; 3 vols. folio.
Urkundenbuch der Stadt Freyburg im Breisgdu Herausgegeben. Von H. Schreiber. Freiburg, 1828, 1829; 8vo. 2 vols. in 4 Abtheilungen.
Schriften der Gesellschaft für Beförderung der Geschichthunde zu Freiburg im Breisgan. Erster Band. Freiburg, 1828; 8vo.
Numismata Angliæ vetusta in Musei nummario regiæ Academiæ Upsaliensis Adservata. T. H. Schröder. Upsaliæ, 1833; 4to.
Codex Diplomaticas, exhibens Chartas Historiam Medii Ævi illustrantes, quas e latebris in lucem protraxit, exscripsit, notisque adjectis prælo dedit. J. P. Schunck. Moguntiæ, 1697; 8vo.
Schurzfleisch. Notitia Bibliothecæ Principalis Vinariensis. Jenæ, 1715; 4to.
Scriptores rerum Hungaricarum veteres ac genuini. J. G. Schwandnerus. Vindobonæ, 1746. 1748; 3 vols. folio.
Chartam lineam Antiquissimam, etc. judicio eruditorum exponit. J. G. Schwandnerus. Vindobonæ, 1788; 4to.
Franciscus de Seine. Bibliotheca Slusiana. Romæ, 1690.
Lenebier. Catalogue raisonné des Manuscrits conservés dans la Bibliothèque de la Ville et Republique de Geneve. Geneve, 1779; 8vo.
Catalogus Librorum Bibliothecæ publicæ Universitatas Lugduno Batavæ. W. Senguerdius. J. Gronovius. J. Heyman. Lugduni apud Batavos, 1716; folio.
Selecta Historiarum tum Anecdota tum jam edita, sed rariora. H. C. Senckenberg. Francofurti, 1734. 1742; 6 vols. 8vo.
H. C. Senckenberg. Sammlung von Ungedruckten und raren Handscriften. Frankfurt, 1745. 1751; 4 vols. 8vo.
Manuscrits de la Bibliothèque d'Orleans. A. Septier. Orleans, 1820; 8vo.
Moguntiacarum Rerum Libri quinque. N. Serarius. Moguntiæ, 1604; 4to.
Collecçao de Livres ineditos de Historia Portugueza, dos Reinados de D. João I., D. Quarte de Affonso V., e D. João II., publicados de Ordem da Academia Real das Sciencias de Lisboa. Por José Correa da Serra. Lisboa, 1790. 1824; 5 vols. 4to.
N. P. Sibbern. Bibliotheca Historica Dano Norwegica. Hamburgi et Lipsiæ, 1716; 8vo.
Aenee Silvii Piccolominei Epistole. 4to.
Catalogus Codicum MSS. Bibliothecæ Bernensis. T. R. Sinner. Berne, 1760. 1772; 3 vols. 8vo.
Sinner. Bibliothecæ Bernensis Librorum typsis editorum Catalogus. Bern, 1764; 2 vols. 8vo.
Bibliothecæ Bernensis Codicum MSS. Syllabus ex majore opere contractus. Sinner. Berne, 1772; 8vo.
Siri. Je Mercurio overo Historia de Correnti tempi. Geneva et Firenze, 1649. 1682; 15 vols. 4to.
Siri. Memorie recondite dall' anno 1601.
Sino al 1640. Ronco. Paris et Lyon, 1676. 1679; 8 vols. 4to.
Acta S. Rumoldi Episcopi et Martyris Apostoli et Patroni Mechliniensium collegit, digessit, illustravit. T. B. Sollerius. Antverpiæ, 1718; folio.
Silesiacarum Rerum Scriptores aliquot ad huc inediti. F. W. de Sommersberg. Lipsiæ, 1729, 1732; 3 vols. folio.
The Historie of Great Britain under the Conquests of the Romans, Saxons, Danes and Normans. J. Speed. 1650; folio.
Glossarium Archaiologicum. H. Spelmannus. Londini, 1687; folio.
Spizelius, sacra Bibliothecarum Arcana retecta, sive MSS. Theologicorum in præcipius Europæ Bibliothecis extantium Designatio. Aug. Vindel, 1688; 8vo.
Magistri Stephani, Abbatis S. Genovefæ Parisiensis tum Episcopi Tornacensis Epistolæ Studio. R. P. Claudii du Molinet. Lutetiæ, Par. 1679; 8vo.
Vocabularium Latinitatis Antiquioris et Medii Ævi Diplomaticum, a P. Bernardo Shocker Dilucidatum. Nordlingæ, 1805; 8vo.

Appendix (C.)

No. 5.
Books purchased for use of the Commission.

B. G. Struvii Collectanea Manuscriptorum. Jenæ, 1713, 1718; 2 vols. 8vo.
B. G. Struvii Corpus Historiæ Germanicæ.
Præmittitur C. G. Buderi Bibliotheca Scriptorum rerum Germanicarum. Jenæ, 1730; 2 vols. folio
Struvius. Notitia rei Litterariæ. Cura Fischeri. Francofurti et Lipsiæ, 1754; 8vo.
Epistolæ Sugerii Abbatis S. Dionysii ad Eugenium III. Papam, Regem Ludovicum VII., etc.; folio
Historie af Denmark. Ved P. F. Suhm. Kiöbenhavn, 1782. 1828; 14 vols. 4to.
F. T. Lulzer. Altes und Neues oder Litterarische Reise durch Siebengürgen, den Temeswa e Barrat, Ungarn, Oesterreich, Bayern, Schwaben, Schweitz und Elsass, etc. 1782; 8vo.
Vitæ Sanctorum. L. Surius. Col. agr. 1617, 1618; 4 vols. folio.
Sylburgius Catalogus Codicum MSS., olim in Bibliotheca Palatina nunc Vaticana asservatorum Francofurti, 1702; 4to.
Aenæ Sylvii Piccolomini Senensis, qui post adeptum Pontificatum Pius ejus nominis secundus appellatus est, opera quæ extant, omnia Basileæ; folio.
Notitia Monastica. Th. Tanner. Londini, 1744; folio. (3 copies.)
Bibliotheca Britannico Hibernica. T. Tanner. Londini, 1748; folio. (2 copies.)
Notitia Monastica. Th. Tanner; reprinted with many additions, by T. Nasmith. Cambridge, 1787; folio.
Catalogus Auctorum qui Librorum Catalogos, Indices, Bibliothecas, etc. Scriptis consignarunt. A. Teisserius. Genevæ, 1686; 2 vols. 4to.
Pallographia Española, que contiene todos los modos conocidos, que ha habida de escribir en España, etc. Madrid, 1758; 4to. Estevan Terreros y Pando.
Teschenmacher, Annales Cliviæ, Juliæ, Montinum, Marcæ, etc. Francofurti et Lipsiæ, 1721; folio.
Theatrum Pacis, h e. Tractat. atque Instrumentorum ab Anno 1647 ad 1685, Collectio, Partes II. Norimbergæ, 1663; 4to.
Epistolæ et Vita Thomæ Archiepiscopi Cantuariensis, nec non Epistolæ Alexandri III. Pontificis, Galliæ Regis Ludovici VII.; Angliæ Regis Henrici II., &c. Opera et Studio. F. C. Lupi. Bruxellis, 1682; 4to. (2 copies.)
J. P. Thomasinus Bibliothecæ Patavinæ manuscriptæ publicæ et privatæ. 1639; 4to.
J. P. Thomasinus Bibliothecæ Venetæ publicæ et privatæ. 1650; 4to.
J. P. Thomasinus. De Bibliothecæ et Musæo, Laurentii Pignorii Patavini. Canonici Tarvisini, liber. Venetiis, 1632; 4to; Amstelodami, 1668.
Thorkelin, Analecta quibus Historia, Antiquates, et Jura tam publicum quam privatum. Regni Norvegiæ illustrantur. Hafniæ, 1778; 4to.
Diplomatarium Arna Magnæanum, exhibens Monumenta Diplomatica, quæ collegit et Universitati Havisnensi Testamento reliquit Arnas Magnæus. Edidit G. T. Thorkelin. Haviniæ, 1786; 2 vols. 4to.
Descriptive Catalogue of Charters, Grants, &c. constituting the Muniments of Battle Abbey. T. Thorpe, 1835; 8vo.
Catalogus Bibliothecæ Thottianæ. Havniæ, 1795; 8vo.
Recueil de Guerres et de Traités de Paix, de Trève, Alliance d'entre les Rois de France et d'Angleterre, depuis Phillippe I., Roi de France, jusqu'à Henri II. Par Jean du Tillet. Paris, 1588; folio.
The History of England, as well Ecclesiastical as Civil. By Mr. de Rapin Thoyras; done into English by N. Tindal. London, 1726. 1731; 15 vols. 8vo.
The Continuation of Mr. Rapin's History of England. By N. Tindal. London, 1758, 1759; 9 vols. 8vo.
J. Tollii Epistolæ Itinerariæ. Cura et Studio. H. C. Henninii. Amstelædami, 1711; 4to.
F. Torfæi Historia rerum Norwegicarum. Hafiniæ, 1711; 4 vols. folio.
Abstract of the Charters and other Papers recorded in the Chartulary of Torphichen, from 1581 to 1596. Edinburgh, 1830; 4to.
Paleographia que para Inteligencia de los Manuscritos Antiguos de este Principado Escrivio Don Joaquin Tos. Barcelona; 4to.
Transactions of the Society of the Antiquaries of Scotland. Vol. 1; Edinburgh, 1792; 4to.
Polygraphiæ, Libri VI. Trithemii, Abbatis Peopolitani quondam Spanheimensis, ad Maximiliamum Cæsarem. Clavis Polygraphæ. J. Trithemii; 4to.
J. Trithemii Annales Hirsangienses. S. Galli, 1690; 2 vols. folio.
Arte di Conoscere l'Eta de Codici Latini e Italiani. G. G. Trombelli. Bologna, 1756; 4to.
Forschungen auf dem Gebiete der Geschichte. K. Turk, Rostock und Schwerin. 1829. 1835; 4 hefte; in 2 vols. 8vo.
De usu Chartæ papyraceæ in Europa, per Medium Ævum usu ejusque termino præmissa illustratione duorum fragmentorum in papyro Scriptorum commentatur. T. C. Tychsen, 1818; 4to.
Urkunden Sammlung zur Geschichte des Ursprungs der Stadte und der Einführung und Verbreitung Deutscher Kolomsten und Rechte in Schlerien und der Ober Lansitz. G. A. Tzschoppe und G. A. Stenzeo. Hamburg, 1832; 4to.
Bibliotheca Uffenbachiana Mssta, seu Catalogus et Recensio Msstorum qui in Bibliotheca. Z. C. ab Uffenbach Trajecti ad Mœnum Adservantur. Halæ, 1720; folio.
Catalogus Manuscriptorum Codicum Bibliothecæ Affenbachianæ. Francofurti, 1747; 8vo.
Uffenbach. Merkwürdige Reisen durch Neidersachsen Holland und Engelland. Ulm und Memmingen, 1753, 1754; 3 vols. 8vo.
Ughellus Italia Sacra, sive de Episcopis Italiæ, et Insularum adjacentium, rebusque ab iis præclare gestis deducta serie ad nostram ætatem.
A Bibliographical Account of the principal Works relating to English Topography. W. Upkott. London, 1818; 3 vols. 4to.
Urstisius Germaniæ Historici Illustres. Francofurti, 1585; 2 vols. folio.
Dictionnaire Raisonné de Diplomatique. Dom de Vames. Paris, 1774; 2 vols. 8vo.
Augustus Varenius. Historia Bibliothecæ Noribergensis.
Verzeichniss aller Bücher der Lesegesellschaft in Luzern. Luzern, 1821; 8vo.
Verzeichniss aller auf der Stadt Bibliothek in Bern vorhandenen Werke. Bern, 1811; 3 vols. 8vo. Supplement 1825; Zweite's Supplement, 1832.
Geschichte Preussens, von den älteston Zeiten bis zum Untergange der Herrscaft des Deutschen Ordens. Von J. Vorg. Konigsberg, 1827. 1834; 6 vols. 8vo.
Voyage Litteraire de deux Religieux Benedictins. Paris, 1717. 1724; 2 vols. 4to.
Histoire d'un Voyage Litteraire fait en 1733, en France, en Angleterre et en Hollande. Hague, 1736; 12mo.

Wachler

Appendix (C.)

No. 5.
Books purchased for use of the Commission.

Wachler Thomas Rehdiger und seime Bücher. Sammlung in Breslau. Breslau, 1828; 8vo.
Annales Minorum seu trium Ordinum a S. Francisco Institutorum. L. Waddingus. Opera et Studio, J. M. Fonseca ab Ebora. Romæ, 1731. 1745; 19 vols. folio.
Verhandeling over de Handvesten en Voorechtsbriefen der Stad Dordrecht. P. H. Van de Wall. Dordrecht, 1768; 8vo.
A. B. Waltheri Silesia Diplomatica, oder Verzeichniss derer Gedruchten Schlesischen Diplomatum, Privilegiorum, etc. Breslau, 1741, 1742; 2 tomi, 4to.
Lexicon Diplomaticum. Ulmæ, 1756; folio.
Bibliotheca Historica. C. G. Warmhoetz. Stockholm, 1782; Upsala, 1817. 15 Delen in 6 vols. 8vo.
Flandrische Staats-und Rechtsgeschichte bis zum Jahr 1305. Von L. A. Warnkönig. Erster Band. Tubingen, 1835; 8vo.
Noten zu einigen Geschichtschreibern des Mittelalters. Von A. C. Wadekind. Hamburg, 1821. 1833; 3 vols. 8vo.
Catalogus Librorum Impressorum in Bibliotheca Ordinis S. Johannis Hierosolymitani asservantur. Argentorate J. N. Weislinger. Argentorate, 1749; folio.
Apparatus et Instructus Archivorum ex usu nostri Temporis. T. Wenckerus. Argentorati, 1713; 4to.
Collecta Archivi et Cancellariæ Jura. J. Wenckerus. Argentorati, 1715; 4to.
Anecdoton Historiam Svevrei Regis Norvegiæ Illustrans, cum Versione Latina, edidit E. C. Werlauff. Havniæ, 1815; 8vo.
Symbolæ ad Geographiam Medii Ævi ex Monumentis Islandicis. E. E. Werlauff.
Historiske Efterretunger om det Store Kongelige Bibliothek i Kiöbenhavn. Ved E. C. Werlauff. Kiöbenhavn, 1825; 8vo.
Monument over Vrong Hans og Dronning Christini i St. Kunds Kirke, i Odense. E. C. Werlauff. Kiöbenhavn, 1827; 4to.
Monumenta inedita Rerum Germanicarum Præcipue Cimbricarum et Megapolensium. E. Codicibus erui studuit, &c. E. J. de Westphalen. Lipsiæ, 1739. 1745; 4 tomi folio.
Archiv für Geschichte und Alterthuns. Kunde Westphalens. Herausgegeben Von P. Wigand. Stamm, 1825. 1834; 24 Hefte in 6 Bänden 8vo.
Wilken. Geschichte der Bildrung Beranbung und Vernichtung der alten Heidelbergischen Buchersammlungen Nebet enien meist Beschreibenden Verzeichniss der im Jahr 1816. Von dem Pabst Pius VII., der Universitat Heidelberg Zurückgegebenen Handschriften. Heidelberg, 1817; 8vo.
Geschichte der Königlichen Bibliothek zu Berlin. Von F. Wilken. Berlin, 1828; 8vo.
Wilisch, Index Bibliothecæ, quæ divinis auspicus et tam pii tam integri, tam Sapientis Patriæ Patris Munificentia, in usum Gymnasii Fridericiani Altenburgi ansgecit. Altenburgi, 1721, 1722; 8vo.
Wilisch, Arcana Bibliothecæ Annæbergensis, in partes tres divisa. Lipsiæ, 1730; 8vo.
Hansische Chronick aus beglanbton Nachrichten zusammengetragen. Von J. P. Willebrandt. Lubeck, 1743; folio.
Bibliothecæ quam D. Williams, bono Publico legavit Catalogus. Londini, 1727; 8vo.
Catalogus Bibliothecæ Windhagianæ. Viennæ, 1733; 4to.
Wolf. Echsfeldio docta, sive, Commentatio de Scholis Bibliothecis et doctis Eichsfeldiaas. Heiligenstadt, 1797; 8vo.
Danica Literatura Antiquissima, vulgo Gothica dicta luci reddita Opera O. Wormini cui accessit de prisca Danorum Poesi Dissertatio. Hafinie, 1636; 4to.
Bibliotheca Topographica Anglicana. J. Worrall. London, 1736; 12mo.
The Court-Hand Restored. By A. Wright. London, 1776; (4 copies.)
Nova subsidia diplomatica ad selecta juris Ecclesiastici Germaniæ et Historiarum capita elucidenda, ex originalibus documentis congesta et edita, à S. A. Würdtwein. Heidelbergæ, 1781. 1792; 14 vols. 8vo.
Diplomataria Moguntina, etc. In lucem protoxit S. A. Würdtwein. Magontiaci, 1788, 1789: 2 vols. 4to.
Epistolæ S. Bonifacii Archiepiscopi Magontium et Martyris, ordine Chronologico dispositæ notis et variantibus illustrato à S. A. Würdtwein. Magentiaci, 1789; folio.
Collectanea Monumentorum veterum Ecclesiæ Græcæ ac Latinæ quæ hactenus in Bibliotheca Vaticanæ delituerunt. L. A. Zacagnius. Tomus I. Romæ, 1698; 4to.
Bibliotheca Pistoriensis a F. A. Zacharia descripta Augustæ Taurinorum. 1752; 4to.
F. A. Zachariæ. Excursus Litterarius per Italiam. Venetiis, 1754; 4to.
G. W. Zapp. Literarische Reisen durch einen Theil von Baiern. Franken, Schwalen und der Schweiz in den Jahren, 1780, 1781, 1782. Augsburg, 1783; 8vo.
Monumenta anecdota Historiam Germaniæ illustrantia. Edidit G. G. Zapp. Aug. Vindel, 1785; 4to.
Zapp. Reisen in einige Keoster Schwabens, durch den Schwarzwald und in die Schweiz. Erlangen, 1786; 4to.
Zapp. Litterarische Reisen. Augsburg, 1796; 8vo.
Zeiller. Itinerarium Germaniæ nos Antiquæ. Strasburg, 1632. 1640; 2 vols. folio.
Conspectus Bibliothecæ Universalis Historico Literario Criticæ Epistolarum. S. J. Arenhold. Hanoveræ, 1736; 4to.
Anzeiger für Hunde des Deutschen Mittelalteri. Herausgegeben von H. von Aufsess mone, etc. München Carlsruhe, 1832. 1835; 4 jahrgange; 4to.
De la Bigne et alii. Maxima Bibliotheca veterum Patrum et Antiquorum Scriptorum Ecclesiasticorum. Lyons, 1678. 1717; 27 vols. folio.
A. M. Biscionii Bibliothecæ Mediceo Laurentiana, Catalogus Florentiæ. 1757; 2 vols. 8vo.
Notice sur les Cabinet des Chartes et Diplomes de l'Histoire de France, par M. Champollion Figeac. Paris, 1827; 8vo.
L'Ystoire de L. Normant, et la Chronique de Robert Viscart, par Aimè, Moine du Mont Cassin. Publices par Aimè, Moine du Mont Cassin. Publices par Mr. Champollion Figeac. Paris, 1835; 8vo.
Cherubinus. Magnum Bullarium Romanum ab Leone Magno usque ad Clementem X. Lugdani et Luxemburgi, 1692. 1758; 18 vols. folio.
Materialum zur Osterreichischen geschichte gessimmelt und herausgegeben. Von J. Chmel. Linz, 1832; 4to.
Conversation entre un Homme de Lettres et un ancien Libraire. 8vo.
Depping. Histoire du Commerce entre le Levant et l'Europe depuis les Croisades jusqu'à la Fondation des Colonies en Amerique. Pariis, 1830; 2 vols. 8vo.
A short Account of some Particulars concerning Domesday-Book. 1756.

Appendix (C.)

No. 5.
Books purchased for use of the Commission.

J. Eisenhardt Tractatus Juridicus de Jure Diplomatum Auctus et Emendatus, a G. S. Wiesand. Accedit ejusdem exercitatio de Diplomatibus veterum Romanorum. Lipsiæ, 1757; 4to.

Memoria para servir de Indice dos Foraes das terras do Reino de Portugal e seus Dominos. Por F. W. Franklin. Lisboa, 1825; 8vo.

Uiber das Entstchen und Aufblühen des oberdeutschen Stadtebundes und dessen Bekampfung und Vernichtung durch Friedrich von Landstrut. J. G. Fessmaier. München, 1819; 4to.

Essai sur le Système des divisions Territoriales de la Gaule, depuis l'age Romain jusqu'à la fin de la Dynastie Carlovingienne. M. B. Guerard. Paris, 1832.

Mallet. De la ligne Hanseatique. Genève, 1804; 8vo.

Traits des Archives. Mariè. Paris, 1770; 8vo.

Journal des Etats Generaux tenus à Tours en 1484 sous le Regne de Charles VIII. redigé en Latin par Jehan Mapelin. Public et traduit par A. Birnier. Paris, 1835; 4to.

Sir James Melvil's Memoires. Published from the original MSS. by G. Scott. 1683; folio.

Royaume des Pays Bas. Messager des Sciences et des Arts Recueil public par la Société Royale des Beaux Arts, et des Lettres, et par alle d'Agriculture et de Botanique Gand. Gand; 6 vols. 8vo.

Negociations relatives à la Succession d'Espagne sous Louis XIV. M. Mignet. Paris, 1835; 2 vols. 4to.

Geschichte der K. K. Hofbibliothek zu Wien. J. F. von Mosel. Wien, 1835; 8vo.

Peau des travaux Litteraires Ordonnés par sa Majesté pour la Collection des Monumens de l'Histoire et du Droit Public de la Monarchie Francaise. Paris, 1782; 8vo.

Nouvelles Archives Historiques des Pays Bas, publies par le Baron de Reiffenberg. Bruxelles; 6 vols. 8vo.

Note sur un Exemplaire des Lettres d'Indulgence du Pape Nicolas IV. pro regno Cypri. Par le Baron de Reiffenberg. Bruxelles, 1829; 4to.

Notices sur les Archives de la Ville de Louvain, par le Baron de Reiffenberg. Bruxelles, 1830; 4to.

Rolls of Parliament. 7 vols. folio (several copies.)

Notice sur les Registres Manuscrits du Parlement de Paris, par M. A. H. Taillandier. Paris, 1835; 8vo.

J. Turni Bolingdumensis de rebus Albionicis, Britannicis atque Anglicis. Commentariorum libri duo. Londini, 1590; 12mo.

New Boswell-court,
15 Jan. 1836.

Charles Purton Cooper,
Sec. Com. Pub. Rec

— No. 6. —

TITLES (so far as can be now made out) of every Book stated in the last Parliamentary Return, 1835, (in a Note since expunged), to have been wanted for temporary purposes, and to have been placed in the hands of a Bookseller and Stationer for exchange, or to have been eventually sent to the British Museum; and of the Books removed from the Speaker's Gallery.

No. 6.
Books exchanged, and removed from the Speaker's Gallery.

Bibliotheca Imperialis Petropolitana Akmos om-nocunpect go no baro odpazo lattat Unnepamopekön. Fuduomeku 8 Cattkmnemepdyprz, 1812. With a Lat., Fr. and Germ. translation.

Pasinus (Josephus) Codicis MS. Bibliotheca Regii Taurinensis Athenæi Animadversionibus Josephi Pasini, et aliorum; 2 pts. fol. Taurini, 1749.

Catalogus Biblothecæ Trajectino Batavæ fol. Traj ad Rheum, 1718.

Lambecius (Petrus) Prodromus Historæ Literariæ et Tabula duplex Chronografica Universalis Accedunt præter Auctoris iter Cellense et Alex. Ficheti Arcanam Studiorum Methodum, atque Ideam Locorum Communium. With Catalogus Librorum MSS. Bibliothecæ Medicæ, curante J. A. Fabricio; fol. Lips. & Francof. 1710.

Catalogus Librorum tam Impressorum quam Manuscriptorum Bibliothecæ Publicæ Universitatis Lugduno Batavæ; fol. Lugd. Bat., 1716.

Denis (M.) Die Denkurdigkeiten der K. K. garellischen offentl. Bibliothecæ Theresians; qto. Abth. 4to. Wien, 1950.

Lucius (Joh. Jac.) Catalogus Bibliothecæ Publicæ Mœno. Francofurtensis; fol. Francof. ad Mœn., 1728.

Catalogus Bibliothecæ Publicæ Lugduno. Batavæ; fol. Lugd. Bat. 1674.

Catalogus Librorum Bibliothecæ Figurinæ; 6 tom. 8vo. Figuri, 1744. 1809.

Bibliographia Petropolitana Oubimz roloaro Trud-norpacpureckaro ropagka gre C. Tl. Tryprekön Umnepamopckoii Trud momekn, 4° Cr. Tlemporpagt, 1809.

Essai sur un nouvel Ordre Bibliographique pour la Bibliothèque Imperiale de St. Petersbourg; 4to. St. Petersb. 1809.

Catalogus der Burger, Bibliothek der Staat Schaffhausen; 8vo. Schaffhausen, 1824.

Lauresham. Codex Laureshamensis Diplomaticus. Edidit, revensuit et præfata est Academia Elect, Scient. et Elegant., Lit. Theodora Palatina; 3 tom. 4to. Mannh. 1768–70.

Kremer (Christoph. Jacob.) Gerschichte des Rhemischen Franziens, bis 843, herausg. von Andrea Lamey; 4to. Mannheim, 1778.

Catalogus Biblioth. Bernensis Verzeichniss aller auf der Stadt Bibliothek in Bern Vorhandenen Gedruckten Werke; 3 th. 8. Bern, 1811.

Bibadeneira (Petrus) Catalogus Scriptorum Religionis Societatis Jesu; 8vo. Antwerp, 1613.

Catalogus Bibliothecæ Publicæ Amstelædamensis; fol. Amst. 1796.

Seemiller (Seb.) Bibliothecæ Acadamicæ Ingolstadiensis Incunabula Typographica; 4 fascie, 4to. Ingolst. 1787–92. [Cum notis MSS.]

Catalogus Bibliothecæ Batavæ, Catalogus van de Bocken der Nationale Bibliothek; 8vo. In der Haag, 1800.

Ebert (Frid. Adolfus) Bibliothecæ Guelferbytanæ Codicis, Græci et Latini Classici; 8vo. Lips. 1827.

Catalogus Manuscriptorum Codicum Bibliothecæ Uffenbachinæ; 8vo. Francof. ad M. 1747.

Lambecius (Petrus) Bibliotheca Acromatica, comprehendens recensionem specialem omnium Codicum. MSctorum Bibliothecæ Cæsariæ Vindobonensis olim a Petro Lambecio et Daniele Nesselio Congesta, nunc autum restitutia a Jac. Frid. Reimaum; 8vo. Hannor. 1712.

Appendix (C.)

No. 6.
Books exchanged, and removed from the Speaker's Gallery.

Schwezfleisch (Henr. Leonard), Notitia Bibliothecæ Principalis Venariensis Accedunt Claudii Salmasii in Chronicum Hieronymi Latinum var. lectt. et emenda.; 4to. Jenæ, 1715.

Academia Boica Monumenta Boica Edidit Academia Scientiarum Boica; vol. 1, XXVIII. 4to. Monach. 1763. 1829. Struvius (Burc. Gottl.) Introductio in Notitiam Rei Litterariæ, aucta et illustrata cura J. C. Fischeri; 8vo. Francof. & Lips. 1754.

Engel (Samuel), Bibliotheca Selectissima; 8vo. Bern, 1743.

Tollius (Jacobus), Epistolæ Itinerariæ. Cum notis Henrici Christ. Hennini; 4to. Amst. 1714.

Boscha (Petrus Paulus), De Origine et Statu Bibliothecæ Ambrosianæ Hernidicus; 4to. Mediol, 1672.

Bibliotheca Hohendorfiana; 8vo. La Haye, 1720.

Sulzer (T. J.), Altes und Neues oder litteralische Reise durch Siebenbürgen den Temeswarer Banat, Ungarn Oesterreich Bayern Schwaben Schweiz und Elsass in drei Sendschreiben, an Theodor Lange; 8vo. 1782.

Grimm (Wilhelm Carl), Ueber Deutsche Rimen; 8vo. Gotting. 1831.

Bacmeister (Jean), Essai sur la Bibliothèque et le Cabinet de Curiosites et d'Histoire de St. Petersbourg; 8vo. 1776.

Academia Litteraria. Bavaria. Abhandlungen der der Ohurfürstlich Caierischen Akademie der Wissenschaften, 10 Bd.; 4to. München, 1763–76.

- - - - - - - Ditto - - - - - - - Neue Historiche Abhandlungen der Baierischen Academie der Wissenchaften. 7 Bd. die serst von 1779–98; in 4to.

- - - - - - - Ditto - - - - - - - 2 Bd.; 8vo. München, 1807.

Voyage. Histoire d'un Voyage Litteraire, fait en 1773 en France, en Angleterre, et en Hollande, par Charles Etienne Jordan; 8vo. La Haye, 1735.

Leon (Gottlieb von), Beschreibung der K. K. Hof Bibliothek en Wien; 8vo. Wien, 1820.

Bibliotheca Ministerii Sacri Scaphusiensis; 12mo. 1820.

Schiada (Athanasius), Arcana Bibliothecæ Synodalis et Typographicæ Moscuensis Sacra; 8vo. Lips. 1724.

Bibliotheca Taldensis. Nachrichten von der Bibliothek in Fulda; 8vo. Leipzig, 1812.

Bibliotheca Bernensis Supplement zum Catalog der Staat Bibliothek in Bern, enthaltend diejenigen Bücher die seit 1811, bis 1825 auf die Bibliothek gekommen sind; 8vo. Bern, 1825.

Library. The Ancient and Modern Library, Vol. I. 12mo. London.

Fellerus (L. Joach.), Oratio de Bibliotheca Academiæ Lipsiensis Paulina; 4to. Lips. (1676).

Bibliotheca nova Tigurinorum publico-privata; 4to. 1629.

Leibnitzius (Joh. Jac.), Bibliothecæ Norimbergensis Memorabilia Accedit C. Arnoldi Hydriotaphia; 4to. Norimb., 1674.

Schœnemann (C. P. C.), Bibliothecæ Augustæ sive notitiarum et Excerptorum Codicum Wofenbuttelanorum Specimen; 4to. Helmstadt, 1829.

Catalogus Librorum quos complectetur Bibliotheca publica, ad Ædom. S. Laurentii, Roteradimi; 4to. 1814.

Zacharias (Franciscus Antonius), Excursus Litterarii per Italiani; 4to. Ven. 1754.

Haym (N. F.), Bibliotheca Italiani; 4to. Ven. 1741.

Köhler (Johani David), Anweisung fur reisende Gelehrte; 8vo. Frankf. Leipz. 1762.

Bibliotheca Principalis Ecclesiæ et Monasterii Ord. S. Benedicti ad S. Emmeranum Ratisbonæ, 4 partes; 8vo. 1748.

Zapf (Georg. Wilhelm), Litterarische Reisen 1ster. Bd. durch einen Theil von Baiern Schwaben und in die Schweiz; 8vo. Augsburg, 1796.

Piccolomini (Æneas Syhrus), Pius II. Epistole in Cardinalatu edite; 4to.

- - - - - - Ditto - - - - - - 4to. Nu mb. imprensis. Anth. Koberger, 1496.

Dobrowsky (J.), Litterarische Nachrichten von einer Reise nach Schweden und Russland; 8vo. Prag. 1796.

Spizelius (Theophil.), Sacra Bibliothecarum illustrium Arcana relecta; 8vo. Aug. Vend. 1688.

Catalogus Codicum Mstorum Græcorum, Aribacorum, Latinorum, ut et Librorum cum Mstis Collatorum vel notis autographis Doctt. Virr. illustratorum quos dum viveret colligere licent D. Marquardo Gudio; 8vo. Kilon, 1709.

Fellerus (L. Joach.), Catalogus Codicum Msstorum Bibliothecæ Paulinæ in Academiæ Lipsiensi; 12mo. Lips. 1686.

Zapf (Georg. Wilhelm), Reisen in einige Klister Schwabens; 4to. Erlangen, 1786.

Reiserus (Antonius), Index Manuscriptorum Bibliothecæ Augustanæ; 4to. 1675.

Tomasinus (Jac. Phil.), Bibliothecæ Patavinæ; 4to. Utini, 1639.

Bibliotheca Rinckiana seu supellex librorum quos collegit Eucharius Gottlieb Rinck, cum prœfatione Adami Frederici Glafey; 8vo. Lips. 1747.

Braun (Placidus), Notitia historico literaria de Codicibus Manuscriptis in Bibliotheca Liberi ac Imperialis Monasterii Ordinis S. Benedicti ad S. S. Udalricum et Afiam Augustæ extantibus; 2 vols. 4to. Aug. Vind. 1791–2.

Eckhardus (Tobias), Codices Manuscripti Quedlinbergensis; 4to. Quedl. 1723.

Bibliotheca Antiqua Vindobonensis Civica, Pars 1. Cura Phil. Jac. Lambacker. 4to.; Viennæ, Austriæ, 1750.

Catalogus Historicus Criticus Codicum MSS. Bibliothecæ Ecclesiæ Metropolitanæ Coloniensis. 4to. Colon. Agripp. 1752.

Murr. (Christoph Theoph.) De Memorabilia Bibliothecarum Publicarum Norimbergensium et Universitatis. Altdorfinæ. 3 partes, 8vo. Norimb. 1786–91.

Senebier (Jean), Catalogue Raisonné des Manuscrits conservés dans la Bibliothèque de la Ville et Republique de Genève. 8vo.; Genève, 1779.

Götze (Johann Christian), Die Merckwürdigkeiten der Kön. Bibliothek zu Dresd. 3 Bd. 4to. Dresden, 1743.

Cyprianus (Ern. Lal.), Catalogus Codicum Manuscriptorum Bibliotheca Gothanæ. fol.; Lips. 1714.

Lannuis (Jo.), Catalogus Codicum Manuscriptorum que in Bibliotheca Riccardia Florentiæ adservantur. fol.; Liburni, 1756.

Zacharias (Franciscus Antonius), Bibliotheca Pistoriensis. fol. Aug. Taur. 1752.

Nessel (Daniel), de Catalogus Manuscriptorum Græcorum et Orientalium Bibliothecæ Cæsaræ Vindobonensis; VI. partes, fol. Vindob. et Norimb. 1690.

Appendix (C.)

No. 6.
Books exchanged, and removed from the Speaker's Gallery.

Catalogus. Catalogus Librorum tam impressorum quam Manuscriptorum Bibliotheca Publicæ Universitatis Lugduno. Batava, . fol. Lugd. Bat, 1716.

Bibliotheca Uffenbachiana MS. Sta seu Catalogus et Recencis MStorum Codicum qui in Bibliotheca Zachariæ Conradi ab Uffenbach adservantur; fol. Hal. Herm. 1720.

Kollarius (Ad. Franc.), Analecta Monumentorum omnis ævi Vindobonensia. 2 Tom. fol. Vindob. 1761–2.

Lambecius (Petrus,) Commentariorum de Bibliotheca Cæsaræ Vindobonensi Libri, 8 Editio, altera opera et studio Adami Franc. Kollarii; fol. Vindob., 1766–8.

Denis (Michael), Codicis Manuscripti Theologici Bibliothecæ Palatinæ Vindobonensi Latini aliarumque Occidentis Linguarum; 6 partes, fol. Vindob., 1793. 1802.

Bisciomus (Ant. Maria). Bibliotheca Medico Laurentianæ Catalogus; 2 tom. fol. Flor. 1752.

Bandini (Aug. Mar.) Catalogus Codicum Latinorum Bibliothecæ Medicen Laurentianæ; 5 tom. folio. Flor. 1774–8.

Hocker (Johann Ludwig). Hailsbronnischer Antiquitatem. Schatz; fol. Oonolzback, 1731.

Hocker (Johann Ludwig). Bibliotheca Heilsbronnensis, sive Catalogus Librorum qui in Monasterii Heilbronnensis Bibliotheca asservantur; fol. Noribergæ, 1731.

Schoepflimes (Jo. Dan.) Alsatia Diplomatica; 2 partes, fol. Mannhem, 1772–5.

Aretin (Johann Christoph. Freyhernn von). Beyträge zur Geschichte und Literatur oorzüglich aus den Schatzen der Kön Bibliothek zu München in monatlichen Heften oon Juli 1803, bis mit December 1807; 8vo. München, 1807.

Aretin (Jo. Christoph.) Baro de. Catalogus Codicum Manuscriptorum Bibliothecæ Regiæ Bavariæ; tom. 4, 4to. Monach, 1806–12.

Academia Litteraria Bavarica Historische Abhandlimgen, der Kön. Baierischen Academie, der Wissenchaften; 3 Bd. 4to. 1807–23. München, 1807–23.

Pays-Bas. Memoires pour servir à l'Histoire Litteraire des Dix-sept Provinces des Pays-Bas, de la Principaute de Liege, &c. [Par Jean Noel Paquot.] 18 tom. 8vo. Lovain, 1763–70.

Erichsen (John). Udsigt over den gamle Manuscript Samling in det store Rougelige Bibliothek; 8vo. Kiöbenh., 1786.

Ranner (Gottfried Christoph.) Kuzgefasste Beschreibung der Nurnbergischen Stadt Bibliothek; 8vo. Nurnberg, 1821.

Catalogus Bibliothecæ Islandica Catalog over Islands Stifts Bibliothek; 8vo. Kiöbenh., 1828.

Wachler (J. W.) Thomas Rehdiger und seine Büchersammberg in Breslau, mit einen vouvorte von Ludwig Wachler; 8vo. Breslau, 1828.

Bailly (J. L. A.) Historiques sur les Bibliothèques, Anciennes et Moderne; 8vo. Par., 1828.

Beschreibung von mehr als 1,100 theile noch ungedruckten handschriften vom 8, bis 18, jahrhundert auf pergament in der Offentlichen Bibliothek zu Bamberg, von H. J. Jaeck; 8vo. Nurnb., 1831. And Historia Prawodawster Slowiariskich, praez W. A. Maceiowskiegs; 2 tom. 8vo. Warzaw, 1832.

Katalog und Nachrichten von der Landschriften Bestanden Bibliothek in Fulda; 8vo. Leip' 1812.

A Collection of Imperial Edicts, preserved in the College for Foreign Affairs; sh. 1–4, fol. Mosc. 1813–28.

Catalogue des Livres imprimez de la Bibliothèque du Roi. Theologie; 3 tom. fol. Par. 1739–42.

Belles Lettres; 2 tom. fol. Par. 1750. Jurisprudence; tom 1, fol. Par. 1753.

Acta (Historica) Academiæ Theodoro Palatinæ; 7 tom. 4to. March, 1776–94.

Abhandlungen der Hirst. Classe der Koniglische Bayerischen Akademie der Wissenchaften; band. 1, theil 2; 4to. Nurn. 1833.

Denkmale des Mittelalton, von F. H. Von der Hagen, 1st Heft; 8vo. Berl. 1824.

Marquardres (S.) De jure Mercatorum et Commerciorum; fol. Francof. 1662.

Codex Juris Gentium Diplomaticus; ex recensione, G. G. L.; fol. Guelferb, 1747.

Zaph (G. W.) Reisen in einige Kloster Schwabens duren den Scharzwald und in die et Schwez in jahr, 1781; 4to. Erlang., 1786.

Ebert (F. A.) Zur Handschriftenkunde; band 1, 8vo. 1825.

Steinbrenner (W. L.) Bemerkungen auf einer reise durch einige Teutsche, Schweizer und Franzosische Provinzer; 3 theil, 8vo. Gott. 1791–2.

De Murr (C. T.) Memorabilia Bibliothecarum Publicarum, Norimbergensium et Universitatis Altdorfinæ; 3 partes, 8vo. Nor. 1786–91.

Von der Hagen (F. H.) Briefe in die Heimat aus Deutschland der Schweiz und Italien; 4 band, 8vo. Breslau, 1818–21.

Irmischer (J. C.) Diplomatische Beschreibung der Manuscripte in der Bibliothek zu Erlangen, nebst der geschichte dieser bibliothek; band 1, 8vo. Erlang., 1829.

Wilken (F.) Gerschichte der Bildung, Beranbung und Vernichtung, der alten Heedelbergischen, Berchersammlungen; 8vo. Heidelb. 1817.

Historische efterretninger omdet store Kongelige Bibliothek i Kiobenhavn. Bed F. C. Weslauff. 8vo. Kiob. 1825.

Catalogue der MSS. de la Bibliothèque de Cambrai. Par A. Le Glay. 8vo. Cam. 1831.

Duellen und fortschungen zur Geschichte der Teutschen Literatur. Von F. J. Mone. 8vo. Aacher, 1830.

Udsigt over den gamle Manuscript Samling i det Store Kongelige Bibliothek. Bed John Frichsen. 8vo. Kiob. 1786.

Petri Abbatis Cellensis Epistolæ. Item Alexandri III. Papæ Epistolæ. 8vo. Lut. Par. 1613.

Some Account of the Alien Priories, and of such Lands as they are known to have possessed in England and Wales. London, 1779; 2 vols. 8vo.

An Account of all the Manors, Messuages, Lands, Tenements and Hereditaments in the different Counties of England and Wales. London, 1787; folio.

The Origin and Progress of Writing. T. Astle. London, 1803; 4to.

Calendars of the Ancient Charters, &c., and of the Welsh and Scottish Rolls, now remaining in the Tower of London. Ayloffe. London, 1772; 4to.

A Catalogue of the Manuscripts preserved in the British Museum, hitherto undescribed, consisting of 5,000 vols. S. Ayscough. London, 1782; 2 vols. 4to.

Scriptores

Appendix (C.)

No. 6.

Books exchanged, and removed from the Speaker's Gallery.

Scriptores illustres Majoris Britanniæ. J. Balæus. Basileæ; 4to.
An Historical Treatise of Cities and Burghs or Boroughs. Rob. Brady. London, 1704; folio.
Catalogi Librorum MSS. Angliæ et Hiberniæ in unum Collecti, cum Indice Alphabetico. Oxoniæ, 1679; folio.
An exact Abridgment of the Records in the Tower of London. Collected by Sir Rob. Cotton. Revised, &c. by W. Prynne. London, 1657; 4to.
Nouveau Traité de Diplomatique, par deux Religieux Benedictins de la Congrégation de S. Maur. Paris, 1750. 1765; 6 vols. 4to.
A perfect Copy of all the Summonses of the Nobility to the Great Councils and Parliaments of this Realm, from the 49th of King Henry III. until these present times. W. Dugdale. London, 1685; folio.
An Index to the Records, with Directions to the several places where they are to be found, &c. London. 8vo.
Index Villaris. London, 1700; folio.
Index to Records, called the Originalia and Memoranda, on the Lord Treasurer's Remembrancer's side of the Exchequer. E. Jones. London, 1793. 1795; 2 vols. folio.
The History and Antiquities of the Exchequer. Madox. London, 1711; folio.
The English, Scotch and Irish Libraries. W. Nicolson. London, 1736; folio.
T. Pitseus. De Rebus Anglicis. Parisiis, 1619; 4to.
Direction for Search of Records remaining in the Chancerie Toweri, Exchequer. T. Powell. London, 1622; 4to.
The Repertorie of Records remaining in the Four Treasuries on the Receipt Side at Westminster. The Two Remembrancers of the Exchequer. London, 1631; 4to.
The Report of the Lords' Committees, appointed by the House of Lords to view and consider the Public Records, etc. London, 1719; 8vo.
Index of Scottish Records. W. Robertson. Edinburgh, 1798; 4to.
Placita Parliamentaria una cum Indiciis Forensibus, etc. G. Ryley. Londin, 1661; folio.
Bibliotheca Britannico-Hibernica. F. Tanner. Londini, 1748; folio.
The Court Hand Restored. By A. Wright. London, 1776; 4to.
Rolls of Parliament. 6 vols. folio.
Magna Charta, with Statutes. 8vo. Tottell, 1576; 2 vols.
- - - - Ditto - - - 1587; 2 vols.
- - - - Ditto - 8vo. Wright, 1602.
- - - - Ditto - 8vo. Stationers' Company, 1602.
- - - - Ditto - - - - - - 1608.
- - - - Ditto - - - - - - 1618; 2 vols.
Rastall's Alphab. Collection of the Statutes. Folio. Barker, 1579.
- Statutes. Folio. Barker, 1588.
- - - Ditto - - 1591.
- - - Ditto - Wight, 1598.
- - - Ditto - - 1603.
- - - Ditto - Stationers' Company, 1615.
Pulton's Kalendar of the Statutes. Folio. Stationers' Company, 1608.
- - Ditto - - - Folio. 1612.
- - Ditto - - - Folio. 1617.
Pulton's Collection of Statutes. Folio. Stationers' Company, 1618.
- - Ditto - - - Folio. 1622.
- - Ditto - - - Folio. 1640.
Keble's Statutes at Large. Folio. 1676.
- - Ditto - - - 1681.
Statutes at Large to 4th of Q. Anne. 3 vols. folio; 1706.
Cary's Abridgment of the Statutes. 3 vols.; 1739.
- - - - Ditto - - - 1762; 2 vols. folio.
Cary's Statutes at Large to 14 Geo. II. 7 vols. folio; 1758.
- - - Ditto - - - 1 vol. folio; 1758.
Hawkins's Statutes at Large. 6 vols. folio; 1735.
- - Ditto - - 6 vols. folio; 1738.
Cary's Statutes at Large. 8 vols. folio; 1776.
- - Ditto - - 8 vols. folio; 1776.
Statutes at Large to 29 Eliz. Folio. Barker. 1587.
Acts of Parliament, 1 to 7 James I. 3 vols. folio.
Manby's Collection of the Statutes in the Reigns of Charles I. & II. Folio; 1667.
Acts 13 & 14 Charles II. Folio.
– 13 Charles II. 1 William & Mary. Folio.
– 29 Charles II. - - - - Folio.
– 1 James II.
– 1 & 7 William III. Folio.
– 1 to 7 William & Mary. 5 vols. folio.
– 13 William III. 1° Anno. Folio.
– 9 to 12 Anne. Folio.
Scotch Acts, 1 Charles II. Folio; 1661.
Rastall's Statutes. Folio; 1621.
Rutton's Statutes. Folio; 1661.

The Secretary has, at different times, during the last three or four years, presented a considerable number of books to the Library of the British Museum: and on some occasions of presentations by the Commissioners, and by himself, the letters of thanks have been wrongly addressed, namely, to the Secretary, instead of the Commissioners, and *vice versâ*. It is probable, therefore, that a Return, if obtained from the Museum, will not in every item accord with this Return.

— No. 7. —

TREASURY ANALYSIS OF ACCOUNTS FOR THE YEARS 1830, 1831 and 1832.

DUTY performed and Time employed by the Sub-Commissioners, in executing the Orders of His Majesty's Commissioners on the PUBLIC RECORDS, between March 1829 and March 1830.

NAMES.	OFFICES.	BUSINESS.	TIME EMPLOYED.			Suitable Recompense.
						£. s. d.
Mr. Petrie, Rev. J. Sharpe.	-- Tower, and elsewhere.	-- Collecting materials for a History of Britain from the earliest time to the Accession of King Henry 8, and correcting press, &c.	March 1829 to March 1830 (on account) -			750 - -
Mr. Palgrave -	-- Tower, and elsewhere.	-- Collecting materials for the new edition of the Parliament Rolls, and other services connected therewith.		£.	s. d.	
			25 March 1830; salary due this day - - - - - -	500	- -	
			Chronological Abstract, 35 sheets, at 3 *l.* - - - - - -	105	- -	
			Editorship and collation of text, as allowed on the former portions, 29 sheets, at 2 guineas - -	60	18 -	
			Alphabetical Digest, 315 sheets, at 3 guineas - - - - -	945	- -	
			Paid Mr. Henry Cole, writing clerk, 1 year's salary - - -	100	- -	
			Paid Mr. William Matchwick, writing clerk, 3 quarters and a half's salary - - - -	25	15 -	
			Paid for stationery, &c. - -	5	12 -	
			Imprest to answer expenses of the current year, and on account of work to be performed therein -	300	- -	
				2,042	5 -	
			Deduct imprest received 1829 -	300	- -	
						1,742 5 -
Mr. Holbrooke	-- Tower, and elsewhere.	-- Compiling Supplement and Continuation to Rymer's Fœdera, new edition, and correcting it for press.	March 1829 to March 1830 - - - - -			300 - -
Mr. Caley -	- First Fruits Office & Rolls Chapel.	-- Preparing and revising for press Eccl. Valor, 26 Hen. 8, and supplementary articles thereof, and revising Inquisitions Post Mortem, vol. v.	Same time - - - - - -		105 - -	
		-- Compiling Supplement and Continuation to Rymer's Fœdera, new editions, and correcting proof sheets.	Same time - - - - -		210 - -	
		As secretary - - - - -	Same time - - - - - -		210 - -	
						525 - -
Richard Bull -	- - -	-- Attending boards and carrying out summonses.	Same time - - - - - - - - -			5 5 -
Scotland, Mr. Thomson -	-- General Register House.	-- Statutes and Proceedings of the Parliaments of Scotland, and disbursements incident thereto.	1 April 1829 to 1 April 1830 (on account) -			2,790 - -
					£.	6,112 10 -
Balance due on account of surplus copies of Record Books sold by order of the Lords of the Treasury - - - - - - - - - -			From Payne & Foss	£.	s. d.	
			- Longman & Co.	58	7 -	
			- Butterworth -	1	19 4½	
				9	12 6	
				69	18 10½	
N. B.—Overpaid Mr. Palgrave in last account, on calculation of 274 sheets at 2 guineas, 3 *l.*; the proper sum being 575 *l.* 8 *s.* instead of 578 *l.* 8 *s.*, which latter was the sum paid to him - -				3	- -	
						72 18 10½
					£.	6,039 11 1½

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PRINTED for His Majesty's Service, by order of the Commissioners for carrying into execution the Measures recommended by the House of Commons, respecting the Records of the Kingdom;—by His Majesty's Printers.

		£.	s.	d.	£.	s.	d.
Begun Sep. 1827, Finished Mar. 1830.	The Parliamentary Writs and Writs of Military Summons, together with the Records and Muniments relating to the Suit and Service due and performed to the King's High Court of Parliament and the Councils of the Realm, as affording evidence of attendance given at Parliaments and Councils; vol. 2, division 1, containing Chronological Abstract and Calendar; 189 sheets, folio, No. 750, with strong ink and extra manner; at 5 *l.* 18 *s.* - -	1,115	2	–			
	Innumerable alterations and corrections throughout the volume, and much deleted matter - - -	340	4	–			
	Used for this volume 286 reams of fine wove demy paper, and for proofs and revises; at 30 *s.* - -	429	–	–			
	Working in various inscriptions on the title-page -	6	15	–			
	Binding 250 copies of this volume in basil, broad bands, filletted and double lettered; at 9 *s.* 4 *d.* -	116	13	4			
	Tying up the 750 copies in brown paper, and porterage; at 3 *d.* - - - - - - - - -	9	7	6			
					2,017	1	10
	The Parliamentary Writs and Writs of Military Summons, &c.; vol. 2, division 2; 268 sheets, folio, including (1½ sheet) cancels, No. 750, with strong ink and extra manner; at 4 *l.* 4 *s.* - - - - -	1,125	12	–			
	Innumerable alterations and corrections throughout the volume, and much deleted matter - - -	286	19	–			
	Used for this volume 405 reams of fine wove demy paper, and for proofs and revises; at 30 *s.* - -	607	10	–			
	Working in various inscriptions on the title-page -	6	15	–			
	Binding 250 copies of this volume in basil, broad bands, filletted and double lettered; at 9 *s.* 10 *d.* - -	122	18	4			
	Tying up the 750 copies in brown paper, and porterage; at 3 *d.* - - - - - - - - -	9	7	6			
	Forms of Calendar of Writs and Returns; four half sheets, No. 350, rulework, with very many corrections; at 3 *l.* 1 *s.* - - - - - - -	12	4	–			
	Another Form of Calendar of Returns by Indenture, No. 25, with corrections - - - - - -	–	17	6			
	List of persons summoned to Parliament in the different years of the Reign of King Edward the Second; 3½ sheets, No. 15, with corrections; at 4 *l.* 10 *s.* 6 *d.*	15	16	9			
	A List of the Knights and Soldiers at the Battle of Boroughbridge, 15 Edward the Second; two sheets, 4to, No. 8, with corrections; at 2 *l.* 0 *s.* 6 *d.* -	4	1	–			
	Report made to the Secretary of the progress of the Parliamentary Writs, date March 1, 1828; one sheet, No. 50, with numerous alterations - -	4	17	–			
	Report made to the Secretary, March 1, 1829; one sheet, No. 30 - - - - - - - -	1	19	6			
	Report made to the Secretary, March 1, 1830; one sheet, No. 25, with corrections - - - - -	2	1	6			
	Statement addressed to the Right Honourable The Speaker of the House of Commons by the Editor of the Parliamentary Writs; two sheets, No. 200, rulework, with many alterations; at 6 *l.* 8 *s.* 6 *d.* -	12	17	–			
	Used for the above Reports and Statement, 2½ reams of fine wove demy; at 30 *s.* - - - - - -	3	15	–			
	Various Forms for making Entries, in order to facilitate the compilation of the Alphabetical Digest, 65½ sheets; viz. half sheet, No. 200, 200, 200, 150, 100 and 100 - - - - - - - - -	–	16	–			
	One sheet, No. 250; one sheet, No. 150; one sheet, No. 125; 28 sheets, No. 100; 34 sheets, No. 25; in all 65 sheets; at 19 *s.* 6 *d.* - -	63	7	6			

(*continued*)

Appendix (C.)

No. 7.
Returns of accounts for 1830.

		£.	s.	d.	£.	s.	d.
	Numerous alterations in the above Forms of Entries -	12	9	–			
	Used for the above Forms, 10 reams fine yellow wove foolscap - - - - - - - - -	10	15	–			
					2,304	18	7
Begun Nov. 1825, Finished Mar. 1830.	Fœdera, Conventiones, Litteræ, et cujuscunque Generis Acta Publica, inter Reges Angliæ et alios quosvis Imperatores, Reges, Pontifices, Principes vel Communitates, ab Ingressu Gulielmi I. in Angliam, A. D. 1066, ad nostra usque Tempora habita et tractata; vol. 3, pars 2; 145 sheets, folio, small letter, worked with the finest ink and extra manner, No. 500; at 5 *l.* 10 *s.* - - - - - - - - -	797	10	–			
	Extra for table work in the Chronological List, eight sheets; at 2 *l.* 12 *s.* - - - - - - -	20	16	–			
	Many alterations and corrections in the proofs and revises, deleted matter, and fair proofs from time to time to show the progress of the work - - -	127	12	–			
	Used for this volume, and for proofs and revises, 147 reams of fine thick wove demy paper, including interest and insurance; at 51 *s.* 6 *d.* - - -	378	10	6			
	Working in various inscriptions on the title-page -	6	15	–			
	Binding 250 copies in basil, broad bands, filletted and triple lettered; at 9 *s.* 4 *d.* - - - - -	116	13	4			
	Tying up the copies in brown paper; at 3 *d.* - -	6	5	–			
					1,454	1	10
	For packing-cases, carriage and porterage - -	49	9	4			
	For various bindings of the Public Records for special purposes - - - - - - - - -	85	19	6			
					135	8	10
	Paid by order of the Commissioners; viz.						
1829: April 24.	—To W. Minchin, on account of compiling Calendars and Indexes of Pleadings - - - - -	92	2	6			
	Interest on ditto to April 30, 1830; 12 months -	4	12	1			
May 11.	—To Thomas Cadell, one year's warehouse rent, to Christmas 1828 - - - £. 63 – –						
— 16.	—To John Bayley, for collating and transcribing Records for Rymer's Fœdera 276 17 –						
		339	17	–			
	Interest on ditto, 11 months - - - -	15	11	7			
June 27.	—To Charles Gay, for transcribing Returns relative to Records - - - - - - - - -	5	5	–			
	Interest on ditto, 10 months - - - -	–	4	5			
July 8.	—To insurance of 20,000 *l.* on Record Books, to Midsummer 1830 - - £. 55 – –						
— 30.	—To W. Minchin, on account of compiling Calendars and Indexes of Pleadings - 90 13 6						
— 31.	—To Charles Gay, on account of repairing and binding Public Records - - 150 – –						
		295	13	6			
	Interest on ditto, 9 months - - - -	11	1	9			
Aug. 29.	—To John Bayley, for collating and transcribing Records for Rymer's Fœdera - - - - - -	241	16	–			
	Interest on ditto, 8 months - - - -	8	1	2			
Oct. 21.	—To J. Cox for transcribing Records for Valor Ecclesiasticus - - - - - - - - -	–	17	6			
	Interest on ditto, 6 months - - - -	–	–	5			
Nov. 3.	—To W. Minchin, on account of compiling Calendars and Indexes of Pleadings - £. 88 – 3						
— 7.	—To Charles Gay, on account of repairing and binding Public Records - - 150 – –						
		238	–	3			
	Interest on ditto, 5 months - - - -	4	19	2			

		£. s. d.	£. s. d.	£. s. d.
1830:				
Jan. 4.	To Francis Palgrave, on account of correcting proof sheets of Parliamentary Writs, vol. 2	165 18 –		
— 14.	To John Bayley, on account of the second volume of Chancery Proceedings	115 13 3		
— 28.	To W. Minchin, on account of compiling Calendars and Indexes of Pleadings	91 12 6		
	To Charles Gay, on account of repairing and binding Public Records	150 – –		
			523 3 9	
	Interest on ditto, 3 months		6 10 9	
Feb. 24.	To John Bayley, on account of transcribing and collating Records for Rymer's Fœdera	150 – –		
— 26.	To Frederick Devon, for making Indexes to Rymer's Fœdera, vol. 3, part 2	63 – –		
			213 – –	
	Interest on ditto, 2 months		1 15 6	
				2,002 12 4
	Interest on 3,272 *l.* 9 *s.* 5 *d.* (the money advanced in the former Account) from May 31 to August 12, 1829, when the money was paid; say 2 months			27 5 6
			£.	7,941 8 11

I hereby certify that the above works have been performed, and the payments made that are here stated.

18 June 1830. *John Caley*, Sec. Com. Pub. Rec.

PRINTED for His Majesty's Service, by order of the Commissioners for carrying into execution the Measures recommended by The House of Commons, respecting the Records of the Kingdom;—by His Majesty's Printers.

		£. s. d.	£. s. d.
Begun Nov. 1827, Finished Apr. 1830.	Calendars of the Proceedings in Chancery in the reign of Queen Elizabeth, to which are prefixed Examples of earlier Proceedings in that Court; namely, from the reign of Richard the Second to that of Richard the Third inclusive, from the originals in the Tower; vol. 2, 157 sheets, folio, including cancels, No. 1,000, with strong ink and extra manner; at 4 *l.* 2 *s.*	643 14 –	
	Very many alterations and corrections, and deleted matter, in the proofs and revises	143 16 –	
	Used for this volume 316 reams of fine wove demy paper, and for proofs and revises, including interest and insurance; at 29 *s.* 6 *d.*	466 2 –	
	Working in various inscriptions on the title-page	6 15 –	
	Binding 250 copies of this volume in basil, broad bands, filletted and double lettered; at 8 *s.* 9 *d.*	109 7 6	
	Tying up the 1,000 copies in brown paper, and porterage; at 3 *d.*	12 10 –	
			1,382 4 6
	For packing-cases, carriage and postage	45 19 5	
	For various bindings of the Public Records for special purposes	61 5 –	
			107 4 5

(*continued*)

Appendix (C.)

No. 7.
Returns of accounts for 1830.

1830:	Paid by order of the Commissioners:	£. s. d.	£. s. d.
Mar. 27.	To Robert Lemon, on account of collating and transcribing documents for Rymer's Fœdera	79 12 8	
	Interest on ditto to March 31, 1831, 12 months	3 19 8	
April 8.	To John Bayley, on account of correcting proofs and compiling Indexes to Proceedings in Chancery, vol. 2 — £. 164 7 6		
— 24.	To Thomas Cadell, one year's warehouse rent, to Christmas 1829 — 63 – –		
— 26.	To W. Minchin, on account of compiling Calendars and Indexes of Pleadings — 91 10 –		
— 27.	To Charles Gay, on account of repairing and binding Public Records — 150 – –		
		468 17 6	
	Interest on ditto, 11 months	21 9 9	
May 26.	Paid to John Bayley, on account of collating and transcribing records for Rymer's Fœdera — 85 13 –		
	To ditto, on account of the third volume of Proceedings in Chancery — 127 19 –		
		213 12 –	
	Interest on ditto, 10 months	8 18 –	
July 9.	Insurance of 20,000 *l.* on Record Books, to Midsummer 1831 — 55 – –		
— 19.	To W. Minchin, on account of compiling Calendars and Indexes of Pleadings — 104 12 –		
— 20.	To Charles Gay, on account of repairing and binding Public Records — 150 – –		
— 21.	To John Bayley, on account of collating and transcribing Records for Rymer's Fœdera — 100 – –		
		409 12 –	
	Interest on ditto, 8 months	13 13 1	
Aug. 14.	To John Bayley, on account of collating and transcribing Records for Rymer's Fœdera	122 8 6	
	Interest on ditto, 7 months	3 11 5	
Oct. 23.	To Charles Gay, on account of repairing and binding Public Records — £. 150 – –		
— 26.	To John Bayley, on account of the third volume of the Proceedings in Chancery — 246 16 6		
		396 16 6	
	Interest on ditto, 5 months	8 5 4	
Nov. 1.	To W. Minchin, on account of compiling Calendars and Indexes of Pleadings — 97 17 6		
— 30.	To Francis Palgrave, on account of correcting proof sheets of Parliamentary Writs — 134 8 –		
		232 5 6	
	Interest on ditto, 4 months	3 17 5	
Dec. 3.	To H. W. Walker, for copying Returns to Parliament — 10 3 6		
	To Charles Gay, for assistance in preparing Returns to Parliament — 27 3 –		
	To ditto, on account of repairing and binding Public Records — 100 – –		
		137 6 6	
	Interest on ditto, 3 months	1 14 4	
			2,126 – 2
	Interest on 1,949 *l.* 15 *s.* 6 *d.* (the money advanced in the former Account) from April 30th to August 17th, 1830, when the money was paid; say 3 months		24 7 6
		£.	3,639 16 7

I hereby certify that the above works have been performed, and the payments made that are here stated.

4 March 1831. *John Caley*, Sec. Com. Pub. Rec.

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Appendix (C.)

No. 7.
Treasury analysis of accounts from 1831 to 1833.

STATEMENT of the Account of *C. P. Cooper*, Esq., as Secretary to the Commissioners on the PUBLIC RECORDS, in respect of Sums issued, &c. to him, to defray the Expenses of the Commission, from the Date of the Commission on the 12th of March 1831, to the 12th of March 1833.

	£.	s.	d.	£.	s.	d.
CHARGE:						
The Accountant is charged the following sums, issued from the Exchequer, for this service, namely,						
1831, August 26	6,538	12	2			
1832, May 30	10,000	–	–			
				16,538	12	2
Also, the sums stated to have been received from the undermentioned Booksellers, for the sale of Record Publications, viz.						
1831, August 8, of Messrs. Payne & Foss	109	15	–			
— — 30, of Messrs. Longman & Co.	15	7	1			
1832, June 6, of Messrs. Payne & Foss	96	2	–			
— Nov. 16, of Messrs. Baldwin & Co.	800	17	–			
				1,022	1	1
Also, the sum stated to have been advanced on the 8th March 1833, by the King's Printer, as a loan to the Commission				1,000	–	–
Total Charge £.				18,560	13	3
DISCHARGE:						
The Accountant claims to be allowed the following sums, paid to John Caley, esq.						
One year's salary, as Secretary to the late Record Commission, to the — March 1831	210	–	–			
On account of expense of repairing Public Records in the Augmentation Office, 1831 and 1832	784	19	3			
Arrears for services for Rymer's Fœdera and Valor Ecclesiasticus	262	10	–			
Bookbinders' bills, 1831 and 1832	181	–	–			
				1,438	9	3
Also to Sir F. Palgrave, as Editor of Rolls of Parliament, namely,						
Salary for two years, to 25 March 1832	1,000	–	–			
Calendar of Writs of Election and Returns, Edward 3d, 145 sheets, at 2 *l.* 12 *s.* 6 *d.* per sheet	380	12	6			
Completion of Digest of Persons, Edward 2d; Digests of Places and Principal Matters, Edward 1st & 2d; 250 sheets, at 3 *l.*	750	–	–			
Corrections of 77 and 45 sheets of Digest, at 1 *l.* 1 *s.* per sheet, the corrections of the remaining sheets having been paid to Sir F. Palgrave by the King's Printers	128	2	–			
Text of Parliamentary Writs, 200 sheets	410	–	–			
Chronological Abstract, 55 sheets	165	–	–			
Henry Cole, writing clerk, two years' salary	250	–	–			
William Matchwick, ditto	70	12	6			
W. Foxton, jun., of the Remembrancer's Office, for Transcripts	6	9	4			
Stationery, and Duty on Clerks	29	5	6			
B. Luxmore, messenger, Record Office, Tower	1	1	–			
	3,191	2	10			
Deduct Imprest in 1830, allowed in the final Account of the late Mr. Caley	300	–	–			
				2,891	2	10
Also to Robert Thompson, esq., Sub-Commissioner for Scotland, namely,						
Balance due upon his former Account to the 1st April 1830	37	–	–			
One year's salary to 1 April 1831	500	–	–			
Also, Remuneration to the following Persons for their Services in the Year ended 1 April 1831, namely,						
Cosmo Innes, compiling Indexes to Acts of Parliament of Scotland	200	–	–			
Rev. W. M. Stirling, transcribing Parliamentary Records, &c.	150	–	–			
Alexander Macdonald, arranging Records, &c.	200	–	–			
Robert Pitcairn, W. S., abridging Register of Great Seal	200	–	–			
Robert Jameson — — ditto — — ditto	200	–	–			
James Kilgour, transcribing Ancient Charters, &c.	100	–	–			
William Whytock, continuing a tabular Index of Retours, &c.	50	–	–			
Adam Thomson, conducting, &c. Abridgment of Registers	300	–	–			

(*continued*)

Appendix (C.)

No. 7.
Treasury analysis of accounts from 1831 to 1833.

	£. s. d.	£. s. d.	£. s. d.
The following Persons, for Abridgment of the Registers of Seisins:			
D. Macneillie	120 – –		
John Millar	100 – –		
Thomas Morrison	100 – –		
Robert Thomson	100 – –		
J. M. Fraser	90 – –		
James Marjunnet	80 – –		
George Home	80 – –		
Francis Jackson	80 – –		
Henry Steele	80 – –		
Robert W. Fraser	80 – –		
James Farish	78 – –		
		988 – –	
		2,925 – –	
Deduct Amount unclaimed by Accountant £.		13 – –	
			2,912 – –
Also, the sums paid to the late John Caley, for stamps upon two warrants, directing issues for this service			4 4 8
Also, the following sums paid to R. Price, esq., as Sub-Commissioner, namely,			
Salary for 1 ¾ year, from 21 May 1831 to 21 Feb. 1833, at 500 *l.* per annum	£. s. d. 875 – –		
Travelling expenses	40 13 10		
			915 13 10
Also, to Frederick Holbrook, esq., as Sub-Commissioner, salary for one quarter, to 25 March 1831			300 – –
Also, for the salary of this Accountant, as Secretary, for 1½ year, to 26th September 1832, at 500 *l.* per annum			750 – –
Also, the sums paid for Salaries to the following Persons, namely,	£. s. d.		
W. H. Bennett, as clerk, from 3d April 1831 to 3d Jan. 1833	100 5 –		
George Smith, as ditto, from 1st June 1831 to 1st March 1833	96 5 –		
Mary Smith, as laundress, for three quarters ended 1st March 1833	15 – –		
The same, for necessaries	2 12 6		
Thomas Casley, as porter, three weeks' wages	3 – –		
			217 2 6
Also, the sums paid to sundry individuals for their services, arranging books and papers, &c., and for expenses of persons as witnesses			20 11 6½
Also, the sums paid for rent of Record rooms, to Christmas 1832, including 5 *l.* 5 *s.* as one moiety of expense of watchmen during repairs			94 – –
Also, the sums paid for furniture, repairs, &c., namely,	£. s. d.		
Henry Heard, for furniture	26 6 –		
F. Madden, for repairs	5 5 –		
H. Bobbin, carpenter, &c.	29 1 –		
W. T. Lowndes, selecting and removing Library, &c.	16 16 –		
S. Howard	6 13 4		
Also, for the cost of sundry boxes, mats, ironmongery, chairs, coals, wood, soap, and other necessaries	43 1 1½		
			127 2 5½
Also, the sums paid for transcribing, copying, collating and preparing works, &c. namely,			
To A. Owen	50 – –		
Thomas Palmer	177 – –		
Robert Lemon	42 15 4		
J. D. Hardy	400 – –		
The same	6 10 –		
M. Bannister	5 – –		
M. G. Hodgson	20 – –		
Executrix of W. Minchin	182 5 3		
Henry Cole	116 17 8		
J. Leaver	18 18 –		
Julius Drescher	80 19 –		
Charles Williams	10 15 –		
J. Bayley	150 – –		
James Bacon	41 – –		
Charles Panton	45 13 9		
J. Baker	38 1 6		
J. Webster	105 – –		
Charles Devon	150 – –		
W. Hardy	14 4 6		
Dr. Bandinell	50 – –		
			1,705 –

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Appendix (C.)

No. 7.
Treasury analysis of accounts from 1831 to 1833.

	£. s. d.	£. s. d.	£. s. d.
Also, the sums for the like service, claimed in Petty Cash Account,			
To Mr. Price	2 8 6		
Robert Chambers	2 15 –		
—— Pettijean	1 10 –		
F. Madden	8 – –		
W. Foxton	4 11 6		
J. Leaver	7 11 9		
James Bacon	40 – –		
J. Baker	4 6 –		
J. Mitchell	7 1 4½		
C. Williams	7 19 –		
		86 3 1½	
			1,791 3 1½
Also, the sums paid to the following Persons, for Cost of Books, namely,			
To Richard Priestly		174 2 6	
Black, Young & Co.		15 15 –	
Dulau & Co.		123 1 6	
Thomas Rodd		337 12 –	
Frederick Noldeke		10 5 –	
S. Sweet		32 – –	
T. Thorpe		11 6 –	
		704 2 –	
Also, the sums for the like service, claimed in Petty Cash Account, namely,	£. s. d.		
To Dulau & Co.	13 16 –		
S. Sweet	28 16 6		
R. Priestly	2 17 –		
W. New	– 18 –		
Thomas Rodd	13 7 –		
John Wilson	19 6 6		
W. Pickering	4 5 6		
Black, Young & Co.	5 14 –		
J. B. Coates	1 10 –		
T. Thorpe	6 16 6		
J. Drescher	– 9 6		
J. Caley	1 17 6		
		99 14 –	
			803 16 –
Also, the sums paid for Stationery, Printing and Binding, namely,			
To the King's Printer, on account		4,250 – –	
C. Roworth & Sons, printers		423 16 –	
H. Dixon, stationery, binding, &c.		108 6 –	
Pens, baskets, tape, &c.		8 1 2	
			4,790 3 2
Also, the sums paid for expenses in obtaining from the Continent information connected with the Record Publications, namely,			
To Royer Collard, Paris		58 18 3	
Mr. Watson, Paris		15 1 2	
Christian Kock, Frankfort		40 – –	
Mr. Baur, Altona		60 – –	
Professor Warnkonig, Ghent		20 – –	
Manuscript catalogues of French archives		12 10 –	
The Accountant, for his own expenses on the Continent		50 – –	
Freight of books from the Continent		8 4 2	
			264 13 7
Also, the sums paid for Postages, Porterages, &c., during the period of this Account			286 14 8½
Total Discharge			17,606 17 8
Accountant Indebted			953 15 7
		£.	18,560 13 3

Indebted, according to the aforegoing statement £.	953 15 7	
Accountant's balance	930 4 9½	
Difference, being the amount erroneously claimed by the Accountant in account of Petty Cash Disbursements, in carrying forward the balance thereof, on 12 March 1832 £.	23 10 9½	

Treasury Chambers, 2 July 1834.

W. Speer.

[*Vide* Appendix, (D. 5,) p. 835.]

— No. 8. —

RETURN showing the Titles of all Works and Number of Volumes printed since March 1831, whether completed or in progress, including Specimens of Works; the Number of Copies of each Work or Specimen of Work printed; the exact Date when such Work or Volume of Work was first put into Type; the Copy of the Order, and the Date thereof, authorizing the Commencement of each Work; the Cost of each Work, distinguishing the Expenses of Corrections and Cancellations, and the Number and Designation of Sheets cancelled in each Work.

NAMES OF WORKS.	Number of Copies.	Dates when put in Type, and when Printed off.	Words of the Order of the Board, and Date *.	COST. £. s. d.	Corrections. £. s. d.	Cancellations.	Number of Sheets Cancelled.
Rotuli Litterarum Clausarum, Vol. I.	500	2 Feb. 1832 22 Mar. –	- - order of the Secretary.	688 – 6 printg 274 6 – paper	106 7 –	one	½ sh. B.
Vol. II. (unfinished) - -	500	28 Jan. 1834 2 Feb. –	- ditto -	148 10 – printg 57 4 – paper	18 1 –	none	
Calendarium Herædum(specimen)	6 & 6	7 Feb. 1832	- ditto -	2 16 – printg	– 19 –	–	
Welsh Laws (unfinished) - -	750	19 Sept. 1832 3 June 1834	- ditto -	145 15 6 printg 69 16 6 paper	55 18 –	none	
Ditto, in royal 8vo. (unfinished)	500	16 Jan. 1836 12 Feb. –	- ditto -	20 8 – printg 9 12 – paper	3 2 –	none	
Authority of King's Council -	250	2 Mar. 1832 6 June 1833	- ditto -	19 8 6 printg 6 16 6 paper	23 13 –	none	
Introduction to Doomsday, Vols. I. & II.	500	21 Apr. 1832 5 May –	- ditto -	179 19 – printg 89 1 – paper	75 14 –	none	
Rotulus Cancellarii - - -	250	22 May 1832 25 Aug. –	- ditto -	189 14 6 printg 39 4 – paper	27 – –	21	13¾ sh. sh. B. C. E. H. M. Q. T. Parts of D. F. I. K. L. N. O. P. S. U. Y. Z.
Rotuli Selecti - - - -	250	12 June 1832 1 Sept. –	- ditto -	81 18 7½ printg 19 – – paper	18 17 –	three	1 ¼ sh. B. D. & H.
Record Commission - -	50	20 July 1832	- ditto -	2 12 – printg 1 1 6 paper	– 1 –	none	
Proceedings of the Privy Council, Vol. I.	500	13 Nov. 1832 13 Jan. 1833	- ditto -	120 6 3 printg 62 16 – paper	80 18 –	seven	6½ sh. B. C. D. E. H. O. U. b. c.
Vol. II. - - - -	500	16 Aug. 1833 7 Oct. –	- ditto -	93 5 3 printg 48 – – paper	47 10 –	three	6 pages, I. Y. Z.
Vol. III. - - - -	500	7 Dec. 1833 18 Dec. –	- ditto -	98 1 3 printg 51 12 – paper	44 7 –	none	
Vol. IV. - - - -	500	11 Apr. 1834 25 Apr. –	- ditto -	108 16 9 printg 58 – – paper	49 1 –	three	E. F. Z.
Vol. V. - - - -	500	12 Aug. 1834 17 Sept. –	- ditto -	134 10 6 printg 69 5 – paper	93 6 –	three	6 pages, G. H. N.
Vol. VI. (unfinished) - -	500	30 Dec. 1834 21 Jan. 1835	- ditto -	74 17 – printg 36 16 – paper	28 13 6	none	
Vol. VII. (unfinished) - -	500	3 Nov. 1835 9 Nov. –	- ditto -	69 15 – printg 32 – – paper	23 15 –	none	
Rotulus Magnus Pipæ - -	250	11 Dec. 1832 20 Mar. 1833	- ditto -	47 4 3 printg 11 4 – paper	17 11 –	none	
Rotulus Pipæ, Hen. II. (unfinished.)	500	4 June 1833 24 Dec. –	- ditto -	40 11 3 printg 16 – – paper	7 9 6	none	
Fines sive Pedes Finium, Vol. I.	500	11 June 1833 12 July –	- ditto -	100 3 1½ printg 49 12 – paper	41 – –	four	3½ sheets, d. B. C. D. Y. T. C.
Vol. II. (unfinished) - -	500	7 Apr. 1835 4 Aug. –	- ditto -	27 10 6 printg 9 12 – paper	4 14 –	none	

* The words of the order of the Board were never in our possession.

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NAMES OF WORKS.	Number of Copies.	Dates when put in Type, and when Printed off.	Words of the Order of the Board, and Date.	COST.	Corrections.	Cancellations.	Number of Sheets Cancelled.
				£. s. d.	£. s. d.		
Rotuli Curiæ Regis, Vol. I. -	500	25 Sept. 1833 16 Dec. –	order of the Secretary	238 7 10½ print[g]	125 2 –	two	½ sh. a. in Pref. v. 1. a. do. v. 2.
Vol. II. - - - - -	500	5 June 1834 15 July –	order of the Secretary	117 12 – paper			
Vol. III. (unfinished) - -	–	12 Feb. 1836	- ditto -	7 17 6 comp[n]	- - -	none	
Rotuli Pipæ, Ric. I. (unfinished)	500	6 Dec. 1833 24 Dec. –	- ditto -	28 7 3 print[g] 12 16 – paper	4 4 –	none	
Docquet Book, Car. I. (unfinished)	500	20 Feb. 1834 21 Apr. –	- ditto -	94 8 9 print[g] 41 12 – paper	33 7 –	none	
Introduction to Valor Ecclesiasticus, royal 8vo.	250	22 Feb. 1834 25 Feb. –	- ditto -	6 19 6 print[g] 4 8 – paper	1 4 –	none	
Rotuli Litterarum Patentium, Vol. I.	500	1 May 1834 4 June –	- ditto -	307 9 – print[g] 116 13 6 paper	63 11 –	none	
Introduction to ditto - -	250	7 July 1835 10 July –	- ditto -	57 11 – print[g] 13 12 – paper	- 5 –	no e	
Excerpta, Vol. I. - - -	500	13 May 1834 15 Sept. –	- ditto -	132 12 1½ print[g] 63 12 – paper	37 19 –	none	
Vol. II. (unfinished) - -	500	14 Oct. 1835 24 Oct. –	- ditto -	108 1 6 print[g] 52 16 – paper	15 12 –	none	
Rotuli Normanniæ, Vol. I. -	500	14 May 1834 11 June –	- ditto -	118 14 – print[g] 55 4 – paper	26 17 –	none	
Exchequer Calendars, Vol. I. (unfinished.)	500	24 Oct. 1834 21 Nov. –	- ditto -	61 10 3 print[g] 32 – – paper	27 16 –	none	
Vol. II. (unfinished) - -	500	27 Apr. 1835 7 May –	- ditto -	71 2 9 print[g] 33 12 – paper	20 11 –	none	
Vol. III. (unfinished) - -	500	20 July 1835 13 Aug. –	- ditto -	89 15 6 print[g] 43 4 – paper	55 11 –	none	
Ditto, Scotland (unfinished) -	–	29 Apr. 1835	- ditto -	13 2 6 comp[n]	3 1 –	none	
Rotuli Chartarum, Vol. I. (unfinished.)	500	5 Nov. 1834 19 Nov. –	- ditto -	179 4 – print[g] 72 16 – paper	18 5 –	none	
Rotuli de Oblatis - - -	500	10 Nov. 1834 24 Nov. –	- ditto -	179 15 – print[g] 85 12 – paper	38 6 –	none	
Extenta, &c., ad Walliam (unfinished.)	500	13 Mar. 1835 24 Apr. –	- ditto -	128 2 – print[g] 67 4 – paper	25 – –	none	
Inventory of Augmentation Records (Ministers' Accounts), (unfinished.)	500	June 1835 22 July –	- ditto -	6 19 – print[g] 2 15 6 paper	4 3 –	none	
Rotuli Vasconiæ, Vol. I. (unfinished.)	500	22 May 1835 6 June –	- ditto -	27 10 – print[g] 9 2 – paper	5 2 –	none	
Rotuli de Liberate (unfinished)	500	26 May 1835 12 June –	- ditto -	33 10 – print[g] 16 – – paper	5 14 –	none	
Saxon Laws, royal 8vo. (specimen)	–	30 June 1835	- ditto -	– 10 –	—	–	
Catalogue of Records in the King's Remembrancer's Office, (unfinished.)	500	30 May 1835 29 June –	- ditto -	21 18 – print[g] 8 9 – paper	30 15 6	none	
Inventory of Surveys, &c. (unfinished.)	25	June 1835 3 July –	- ditto -	6 2 6 print[g] – 4 – paper	1 7 –	none	
Inventory of Surrenders, &c. -	25	June 1835 1 July –	- ditto -	2 5 – print[g] – 2 – paper	– 1 –	none	

His Majesty's Printing Office,
25 February 1836.

Eyre & Spottiswoode.

Appendix (C.)

No. 9. Loans from King's Printer, 1833–1834.

— No. 9. —

RETURN of all Sums of Money advanced by the King's Printer;—the Amount of each Loan, the Date when made, and the words of the Order upon which such Loan was made, and the Interest charged thereupon, since March 1831.

Amount of Loan.	Date when made.	Words of the Order *.	Interest.	——
£. s. d.			£. s. d.	
1,000 – –	8 March 1833	Request of the Secretary	120 16 –	8 July 1834; repaid this day.
1,000 – –	1 June 1833	- - ditto - -		
1,000 – –	9 Jan. 1834	- - ditto - -	56 7 –	8 July 1834.
1,000 – –	22 Feb. 1834	- - ditto - -	209 – 9	30 Nov. 1835.
1,000 – –	11 April 1834	- - ditto - -		

* The words of the Order were never in our possession.

Eyre & Spottiswoode.

— No. 10. —

No. 10. Messrs. Baldwin's Return of the sale of Publications and Sum produced, 1831 to 1835.

RETURN of the Publications of the Record Commission, from March 1831 to December 1835; with the Number Sold; Amount at Retail Price; and Sum produced.

NAME OF THE WORK.	No. Sold.	Retail at	Amount.
		£. s. d.	£. s. d.
Cooper on the Public Records, 2 vols. 8vo. - - -	144	1 10 –	216 – –
Cooper's proposal for a Record Office, 8vo. - - -	32	– 6 –	9 12 –
Chancery Proceedings, folio, vol. 3 - - - - -	14	1 10 –	21 – –
Ellis's Introduction to Domesday, 2 vols. 8vo. - -	87	1 10 –	130 10 –
Close Rolls, folio, vol. 1 - - - - - - -	20	4 4 –	84 – –
Pipe Rolls, 8vo. - - - - - - - -	22	– 18 –	19 16 –
Palgrave on the King's Council, 8vo.	44	– 6 –	13 4 –
Chancellor's Rolls, 8vo. vol. 1 - - - - - -	22	1 5 –	27 10 –
Hunter's Introduction to Valor Ecclesiasticus, 8vo. -	4	– 2 6	– 10 –
Valor Ecclesiasticus, folio, vol. 6 - - - - - -	11	1 10 –	16 10 –
Nicolas's Privy Council, 2 vols. 8vo. - - - - -	19	1 5 –	23 15 –
Parliamentary Writs, folio, vol. 2, part 3 - - -	12	7 7 –	88 4 –
Hunter's Rotuli Selecti, 8vo. - - - - -	15	1 – –	15 – –
Nicolas's Privy Council, 8vo. vol. 3 - - - -	18	– 15 –	13 10 –
Ditto - - - vol. 4 - - - - - -	16	– 15 –	12 – –
Roberts's Excerpta, &c., 8vo. vol. 1 - - - -	13	– 18 –	11 14 –
Hardy's Rotuli Normanniæ, vol. 1 - - - - -	13	– 18 –	11 14 –
Fines (Hunter), 8vo., vol. 1 - - - - -	12	– 12 –	7 4 –
Ducatus Lancastriæ, folio, vol. 3 - - - - -	8	2 12 6	21 – –
Rotuli Curiæ Regis, vols. 1 & 2, 8vo. - - - -	14	1 10 –	21 – –
— Patentium, folio, vol. 1 - - - - - -	7	1 10 –	10 10 –
			774 3 –
Deduct one third for commission, trade allowance, and expenses - - - - - - - -	- -	- - -	258 1 –
		Net Sum accounted for - - - £.	516 2 –

Paternoster-Row, 3 March 1836.

Baldwin & Cradock.

— No. 11. —

RETURN of all Books Published by the Record Commission, which have since the 1st day of January last been sent as Gifts or Loans to any Individuals or Public Bodies; specifying the Names of such Individuals or Bodies, the Titles, together with the Size and Number of Volumes of such Works, and the Dates at which such Present or Loan was made, and the Value of each of them.

Note.—The Value of each not known to the King's Printer.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
	Taxatio Ecclesiastica, P. Nicholai IV. (folio):
1836:	
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Madras, 2 copies.
	Calendarium Rotul. Patentium, (folio):
– 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Madras, 2 copies.
	Catalogue of the Cottonian Manuscripts, (folio):
– 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 2 copies.
– –	Ditto - - ditto - - Madras.
	Calendarium Rotulorum Chartarum, (folio):
– 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Madras.
	Rotulorum Originalium, vols. 1 & 2, (folio):
anuary 19	The Hon. Spring Rice.
– 21	The Supreme Court of the Island of Mauritius.
– 22	The Library of the Museum, Swansea.
ebruary 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
Iarch 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
lay 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
une 18	Mr. Serjeant Merewether.
– 24	W. H. Black, esq.
	Calendarium Inquis. Post Mortem, vols. 1 to 4, (folio):
anuary 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
	Calendarium Inquis. Post Mortem, vols. 1 to 4—*continued.*
1836:	
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Library of the Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The Library of the English College, Rome.
June 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Inquisitiones Nonarum, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Library of the Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The Library of the English College, Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– –	Sir Charles Wetherell.
– 24	J. S. Brewer, esq.
	Testa de Nevill, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.

(*continued*)

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Testa de Nevill—*continued.*
March 5	The East India Company, for the Presidency of Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
May 20	The Library of the English College, Rome.
	Catalogue of the Harleian Manuscripts, vols. 1 to 4, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Library of the Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The Library of the English College, Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Abbreviatio Placitorum, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library of Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The Library of the English College, Rome.
June 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Domesday Book, Indices and Additamenta, (folio):
January 19	The Hon. Spring Rice.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
	Statutes of the Realm, (folio), vols. 1 to 9, and Indexes:
January 19	The Hon. Spring Rice.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Statutes of the Realm, (folio), vols. 2 to 9, and Indexes.
January 21	The Supreme Court, Island of Mauritius.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library of Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 28	The Library of Waterville College, Maine.
– 20	The Library of the English College, Rome.
June 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Valor Ecclesiasticus, vols 1 to 6, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Library of the Royal Society, Edinburgh.
April 21	The Grand Ducal Library of Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College at Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– –	Sir C. Wetherell.
– 24	J. S. Brewer, esq.
	Rotuli Hundredorum, vols. 1 & 2, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Ducal Library of Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
June 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Rotuli Scotiæ, vols. 1 & 2, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Rotuli Scotiæ, vols. 1 & 2—*continued.*
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society of Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– 20	The English College, Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– 24	Mr. J. S. Brewer.
	Catalogue of Lansdowne Manuscripts, parts 1 & 2, (folio):
January 19	The Hon. T. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College at Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Fœdera, 3 vols., 2 parts each, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society of Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– 20	The English College, Rome.
June 18	Mr. Serjeant Merewether.
	Placita de Quo Warranto, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Placita de Quo Warranto—*continued.*
January 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library of Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Calendar to Pleadings, Duchy of Lancaster, vols. 1 to 3, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 28	His Royal Highness the Duke of Sussex.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
June 9	John Gage, esq.
– 11	W. H. Black, esq.
– 14	J. Stevenson, esq.
– 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Calendars of Proceedings in Chancery, vols. 1 to 3, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 23	J. Stevenson, esq.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.

(*continued*)

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Calendars of Proceedings in Chancery, vols. 1 to 3—*continued.*
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– –	Sir Charles Wetherell.
– 24	J. S. Brewer, esq.
	Parliamentary Writs, (folio), vol. 1, and div. 1, 2 & 3 of vol. 2:
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Library of the Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
June 9	John Gage, esq.
– 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Inquis. ad Capellam Domini Regis Retornatarum, vols. 1 to 3, (folio):
March 4	The East India Company.
– 7	Ditto - for the Presidency of Madras.
April 30	The Royal Library, St. Lucia.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
June 9	John Gage, esq.
– 11	W. H. Black, esq.
– 14	J. Stevenson, esq
– 18	Mr. Serjeant Merewether
– 24	J. S. Brewer, esq.
	Registrum Magni Sigilli Regum Scotorum, &c., vol. 1, (folio):
January 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 22	The Library of the Museum, Swansea.
February 5	The Library of the Grand Duke of Baden.
– 13	George Baker, esq.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 25	The Library of the College, Homerton.
– 29	The Library of the Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– 20	The English College, Rome.
June 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	The Acts of Parliament of Scotland, vols. 2 to 11, (folio):
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
April 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
June 9	John Gage, esq.
– 11	W. H. Black, esq.
– 14	J. Stevenson, esq.
– 18	Mr. Serjeant Merewether.
– 24	J. S. Brewer, esq.
	Rotuli Litterarum Clausarum, vol. 1, (folio):
January 5	C. P. Cooper, esq., 2 copies.
– 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	A. Owen, esq.
February 1	The Literary and Philosophical Society, Sunderland.
– 5	The Subscription Library, Royston.
– –	The Library of the Grand Duke of Baden.
– 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Sir Robert Peel.
– 11	The Burslem Subscription Library.
– 12	The York Subscription Library.
– 13	George Baker, esq.
– –	The Cathedral Library, Lichfield.
– 22	The Lyceum Library, Liverpool.
– 25	The Alnwick Subscription Library.
– –	Canterbury Literary and Philosophical Institution.
– –	The Public Library, Penzance.
– –	The Subscription Library, Scarborough.
– 27	Newark Stock Library.
– 29	Devon and Exeter Institution.
– –	The Isle of Wight Institution.
– –	The Dublin Library Society.
– –	The Doncaster Subscription Library.
– –	The Greenock Public Library.
– –	Stroud Institution.
– –	Dr. Plume's Library, Maldon.
– –	The Birmingham Library.
– –	The Advocates' Library, Aberdeen.
– –	The Bolton-le-Moors Public Library.
– –	The Belfast Society Library.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 24	Dr. Lingard.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 28	His Royal Highness the Duke of Sussex.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The Library of the English College, Rome.
June 9	The Rev. James Raine.
– 10	The Library of the Royal Academy, Dublin.
– –	The Office of Ulster King-at-Arms, Dublin.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Rotuli Litterarum Clausarum, vol. 1, —*continued.*
June 10	The Record Tower, Dublin Castle.
– –	The Dublin Castle Library.
– 3	Mr. Serjeant Merewether.
– 20	Lord Lyndhurst.
– –	Lord Wynford.
– –	Lord Denman.
– –	Lord Abinger.
– –	Lord Devon.
– –	Sir E. Sugden.
June 21	Sir W. Follett.
– –	Mr. Serjeant Wylde.
– –	Mr. Serjeant Spankie.
– –	Sir W. Horne.
– –	Dr. Lushington.
– –	The Attorney-General.
– –	The Solicitor-General.
– –	Chief Justice Tindal.
– –	Mr. Serjeant Stephens.
– –	The Vice-Chancellor.
– –	T. Pemberton, esq., M. P.
– –	Lord Stuart de Rothesay.
– 22	The Hon. Cutlar Fergusson.
– –	A. H. Lynch, esq., M. P.
– –	W. H. Tancred, esq., M. P.
– –	Sir J. F. Pollock.
– 27	Mr. Justice Coleridge.
– –	Mr. Justice Littledale.
– –	Mr. Baron Alderson.
– –	Horace Twiss, esq., M. P.
– –	Sir George Rose.
– –	The Right Hon. C. Law, M. P.
– 28	Mr. Serjeant Talfourd.
– –	Dr. Nicholl, M. P.
– –	Mr. Baron Gurney.
– –	Lord F. Egerton.
– –	Sir James Graham.
– –	Professor Empson.
– 29	Sir John Cam Hobhouse.
– –	Viscount Morpeth.
– –	Lord Stanley.
– –	Viscount Howick.
– –	Earl of Carlisle.
– –	J. L. Knight, esq.
July 1	Lord Mahon.
– 4	Baron Bolland.
– –	The Taunton and Somerset Institution.
– –	The Subscription Library, Morpeth.
	Rotuli Litterarum Patentium, vol. 1, (folio):
January 5	C. P. Cooper, esq., 2 copies.
– 12	Rev. J. Hunter.
– 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	A. Owen, esq.
– 30	C. Roberts, esq.
February 1	The Literary and Philosophical Society, Sunderland.
– 5	The Subscription Library, Royston.
– –	The Library of the Grand Duke of Baden.
– 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Sir Robert Peel.
– –	Lord Viscount Melbourne.
– 11	The Burslem Subscription Library.
– 12	The Subscription Library, York.
– –	The Cathedral Library, Lichfield.
– 22	The Lyceum Library, Liverpool.
– 25	The Alnwick Library.
– –	The Canterbury Literary and Philosophical Institution.
– –	The Penzance Public Library.
– –	The Scarborough Subscription Library.
– 27	The Newark Stock Library.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Rotuli Litterarum Patentium, vol. 1, —*continued.*
Feb. 29	Devon and Exeter Institution.
– –	Isle of Wight Institution.
– –	The Dublin Library Society.
– –	The Doncaster Subscription Library.
– –	Stroud Institution.
– –	Dr. Plume's Library, Maldon.
– –	The Birmingham Library.
– –	The Advocates Library, Aberdeen.
– –	Bolton-le-Moors Public Library.
– –	Belfast Society Library.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 24	Dr. Lingard.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 14	John Bruce, esq.
– 21	The Grand Ducal Library, Darmstadt.
– 28	His Royal Highness the Duke of Sussex.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Montrose Public Library.
– 20	The Library of the English College, Rome.
June 3	Mr. Serjeant Merewether.
– 9	The Rev. James Raine.
– 10	The Royal Academy, Dublin.
– –	The Office of Ulster King-at-Arms, Dublin.
– –	The Record Tower, Dublin Castle.
– –	The Dublin Castle Library.
– 11	W. H. Black, esq.
– 20	Sir E. Sugden.
– –	Lord Lyndhurst.
– –	Lord Wynford.
– –	Lord Denman.
– –	Lord Abinger.
– –	Lord Devon.
– 21	Sir W. Follett.
– –	Mr. Serjeant Wylde.
– –	Mr. Serjeant Spankie.
– –	Sir W. Horne.
– –	Dr. Lushington.
– –	The Attorney-General.
– –	The Solicitor-General.
– –	Chief Justice Tindal.
– –	Mr. Serjeant Stephens.
– –	The Vice-Chancellor.
– –	T. Pemberton, esq., M. P.
– –	Lord Stuart de Rothesay.
– 22	The Hon. Cutlar Fergusson.
– 24	J. S. Brewer, esq.
– 27	Mr. Justice Coleridge.
– –	Mr. Justice Littledale.
– –	Baron Alderson.
– –	H. Twiss, esq., M. P.
– –	Sir George Rose.
– –	The Hon. C. Law, M. P.
– 28	Mr. Serjeant Talfourd.
– –	Dr. Nicholl, M. P.
– –	Mr. Baron Gurney.
– –	Lord F. Egerton.
– –	Sir James Graham.
– –	Professor Empson.
– –	Sir John Cam Hobhouse.
– –	Viscount Morpeth.
– –	Lord Stanley.
– –	Viscount Howick.

(*continued*)

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
	Rotuli Litterarum Patentium, vol. 1, —*continued.*
1836:	
June 28	Earl of Carlisle.
– –	J. L. Knight, esq.
July 1	Lord Mahon.
– 4	Baron Bolland.
– –	The Taunton and Somerset Institution.
– –	The Subscription Library, Morpeth.
	Privy Council Proceedings, vols. 1 to 4, (8vo.):
January 5	C. P. Cooper, esq., 2 copies.
– 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	A. Owen, esq.
– 30	C. Roberts, esq.
February 1	The Literary and Philosophical Society, Sunderland.
– –	Sir F. Palgrave.
– 5	The Subscription Library, Royston.
– –	The Library of the Grand Duke of Baden.
– 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Sir R. Peel.
– –	The Burslem Subscription Library.
– 12	The Subscription Library, York.
– 13	George Baker, esq.
– –	The Cathedral Library, Lichfield.
– 18	The Lyceum Library, Liverpool.
– 25	The Alnwick Subscription Library.
– –	Canterbury Literary and Philosophical Institution.
– –	The Penzance Public Library.
– 27	The Newark Stock Library.
– –	The Scarborough Subscription Library.
– 29	The Isle of Wight Institution.
– –	The Doncaster Subscription Library.
– –	Devon and Exeter Institution.
– –	The Dublin Library Society.
– –	The Greenock Public Library.
– –	Stroud Institution.
– –	Dr. Plume's Library, Maldon.
– –	The Birmingham Library.
– –	The Advocates Library, Aberdeen.
– –	The Public Library, Bolton-le-Moors.
– –	The Belfast Society Library.
March 4	The East India Company.
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– –	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 24	Dr. Lingard.
– 25	The Library of the College, Homerton.
– 29	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 28	His Royal Highness the Duke of Sussex.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– –	The Library of the English College, Rome.
June 9	Robert Benson.
– –	Rev. James Raine.
– –	John Gage, esq.
– 10	The Royal Academy, Dublin.
– –	The Office of Ulster King-at-Arms, Dublin.
– –	The Record Tower, Dublin Castle.
– –	The Dublin Castle Library.
– 3	Mr. Serjeant Merewether.
– 20	Sir E. Sugden.
– –	Lord Lyndhurst.
– –	Lord Wynford.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
	Privy Council Proceedings, vols 1 to 4, —*continued.*
1836:	
June 20	Lord Denman.
– –	Lord Abinger.
– –	Lord Devon.
– 21	Sir W. Follett.
– –	Mr. Serjeant Wylde.
– –	Mr. Serjeant Spankie.
– –	Sir W. Horne.
– –	Dr. Lushington.
– –	The Attorney-General.
– –	The Solicitor-General.
– –	Lord Chief Justice Tindal.
– –	Mr. Serjeant Stephens.
– –	The Vice-Chancellor.
– –	Thomas Pemberton, esq., M. P.
– –	The Right Hon. Lord Stuart de Rothesay.
– 22	The Right Hon. R. C. Fergusson.
– –	A. H. Lynch, esq., M. P.
– –	H. W. Tancred, esq., M. P.
– –	Sir J. F. Pollock.
– 24	J. S. Brewer, esq.
– 27	Mr. Justice Coleridge.
– –	Mr. Justice Littledale.
– –	Mr. Baron Alderson.
– –	Horace Twiss, esq., M. P.
– –	Sir George Rose.
– –	The Right Hon. C. Law, M. P.
– 28	Mr. Serjeant Talfourd.
– –	Dr. Nicholl, M. P.
– –	Mr. Baron Gurney.
– –	Lord F. Egerton.
– –	Sir James Graham.
– –	Professor Empson.
– 29	Sir John Cam Hobhouse.
– –	Viscount Morpeth.
– –	Lord Stanley.
– –	Viscount Howick.
– –	Earl of Carlisle.
– 30	J. L. Knight, esq.
July 1	The Right Hon. Lord Mahon.
– 4	Mr. Baron Bolland.
– –	The Somerset and Taunton Institution.
– –	The Subscription Library, Morpeth.
	Privy Council Proceedings, vol. 5, (8vo.):
January 5	C. P. Cooper, esq., 2 copies.
– 12	The Rev. J. Hunter.
– –	Lord Brougham.
– –	H. Hobhouse, esq.
– –	The Speaker.
– –	The Secretary of State.
– –	The Master of the Rolls.
– –	Mr. Justice Park.
– –	Lord Register of Scotland.
– –	The Earl of Aberdeen.
– –	Sir R. H. Inglis, bart.
– –	The Archbishop of Canterbury.
– –	L. H. Petit, esq.
– –	The Bishop of Llandaff.
– –	H. B. Kerr, esq.
– –	H. Hallam, esq.
– –	J. Allen, esq.
– –	Hon. Thomas Grenville.
– –	Edward Protheroe, esq.
– –	The Hon. C. W. W. Wynn.
– –	Mr. Justice Bosanquet.
– –	W. Brougham, esq.
– –	The Chancellor of the Exchequer.
– 19	The Library of the House of Lords.
– –	Ditto - ditto - House of Commons.
– –	His Majesty's Library.
– –	The State Paper Office.
– –	Westminster Cathedral.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
	Privy Council Proceedings, vol. 5, —*continued.*
1836:	
nuary 19	The Chapter House.
–	The Augmentation Office.
–	The Royal Institution Library.
–	The Record Office.
–	The British Museum.
–	The Royal Library, British Museum.
–	The Inner Temple Library.
–	The Middle Temple Library.
–	Gray's-Inn Library.
–	Lincoln's-Inn Library.
–	Rolls Chapel.
–	Doctors' Commons Library.
–	College of Arms Library.
–	The Antiquarian Society Library.
–	The Royal Society's Library.
–	The King's College Library.
–	The Duchy of Lancaster Office.
–	The London Institution Library.
–	The London Corporation Library.
–	Sion College Library.
–	Dr. Williams's Library, Red-cross-street.
–	The Archbishop of Canterbury's Library.
16	Sir H. Nicolas, 6 copies.
19	The Hon. Spring Rice.
21	The Supreme Court, Island of Mauritius.
23	A. Owen, esq.
–	C. Roberts, esq.
bruary 1	The Literary and Philosophical Society, Sunderland.
–	Sir F. Palgrave.
5	The Subscription Library, Royston.
–	Joseph Stevenson, esq.
–	The Library of the Grand Duke of Baden.
9	The Hon. Mr. Goulburn.
–	The Duke of Wellington.
–	Sir R. Peel.
11	The Burslem Subscription Library.
12	The York Subscription Library.
13	George Baker, esq.
–	The Cathedral Library, Lichfield.
18	The Lyceum Library, Liverpool.
25	The Alnwick Subscription Library.
–	Canterbury Literary and Philosophical Institution.
–	Penzance Public Subscription Library.
27	Newark Stock Library.
–	Scarborough Subscription Library.
29	The Isle of Wight Institution.
–	Devon and Exeter Institution.
–	Dublin Library Society.
–	Greenock Public Library.
–	Stroud Institution.
–	Dr. Plume's Library, Maldon.
–	The Birmingham Library.
–	The Advocates' Library, Aberdeen.
–	The Public Library, Bolton-le-Moors.
–	Belfast Library Society.
ch 4	The East India Company.
–	Ditto - for the Presidency of Bengal, 3 copies.
–	Ditto - - ditto - - Bombay, 2 copies.
–	Ditto - - ditto - - Madras, 2 copies.
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29	The Royal Society, Edinburgh.
21	The Grand Ducal Library, Darmstadt.
28	His Royal Highness the Duke of Sussex.
30	The Royal Library, St. Lucia.
–	The Library of the House of Assembly, Upper Canada.
–	The Library of the House of Assembly, Lower Canada.
18	The Library of Waterville College, Maine.
–	The Public Library, Lincoln.
–	The Montrose Public Library.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
	Privy Council Proceedings, vol. 5, —*continued.*
1836:	
May 20	The Library of the English College, Rome.
June 3	W. H. Black, esq.
– 9	R. Benson, esq.
– –	The Rev. James Raine.
– –	John Gage, esq.
– 10	The Royal Academy, Dublin.
– –	The Office of Ulster King-at-Arms, Dublin.
– –	The Record Tower, Dublin Castle.
– –	The Dublin Castle Library.
– 3	Mr. Serjeant Merewether.
– 20	Sir E. Sugden.
– –	Lord Lyndhurst.
– –	Lord Wynford.
– –	Lord Denman.
– –	Lord Abinger.
– –	Lord Devon.
– 21	Sir W. Follett.
– –	Mr. Serjeant Wylde.
– –	Mr. Serjeant Spankie.
– –	Sir W. Horne.
– –	Dr. Lushington.
– –	The Attorney-General.
– –	The Solicitor-General.
– –	Lord Chief Justice Tindal.
– –	Mr. Serjeant Stephen.
– –	The Vice Chancellor.
– –	J. Pemberton, esq., M. P.
– –	Lord Stuart de Rothsay.
– 22	The Hon. R. C. Fergusson.
– –	A. H. Lynch, esq., M. P.
– –	H. W. Tancred, esq., M. P.
– –	Sir J. F. Pollock.
– 24	J. S. Brewer, esq.
– 27	Mr. Justice Coleridge.
– –	Mr. Justice Littledale.
– –	Mr. Baron Alderson.
– –	Horace Twiss, esq., M. P.
– –	Sir George Rose.
– –	The Hon. C. Law, M. P.
– –	Mr. Serjeant Talfourd.
– –	Dr. Nicholl, M. P.
– –	Mr. Baron Gurney.
– –	Lord F. Egerton.
– –	Sir James Graham.
– –	Professor Empson.
– 29	Sir J. C. Hobhouse.
– –	Viscount Morpeth.
– –	Lord Stanley.
– –	Viscount Howick.
– –	Earl of Carlisle.
– –	J. L. Knight, esq.
July 1	Lord Mahon.
– 4	Baron Bolland.
– –	Somerset and Taunton Institution.
– –	The Subscription Library, Morpeth.
	Fines sive Pedes Finium, vol. 1; Rot. Normanniæ, vol. 1; Excerpta, vol. 1; Introduction to Domesday, and Indices, vols. 1 & 2; and, Rot. Cur. Regis, vols. 1 & 2 (8vo.):
January 5	C. P. Cooper, esq., 2 copies.
– 12	Rev. J. Hunter.
– 19	The Hon. Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	A. Owen, esq.
February 1	The Literary and Philosophical Society, Sunderland.
– 5	The Subscription Library, Royston.
– –	The Grand Ducal Library, Baden.
– 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Viscount Melbourne.

(*continued*)

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Fines. Rot. Normanniæ. Excerpta. Introd. to Domesday & Rot. Cur. Regis.—*cont^d.*
February 9	Sir R. Peel.
" 11	The Burslem Subscription Library.
" 12	The York Subscription Library.
" 13	George Baker, esq.
" "	The Cathedral Library, Lichfield.
" 22	The Lyceum Library, Liverpool.
" 25	The Alnwick Subscription Library.
" 29	The Doncaster Subscription Library.
" "	The Newark Stock Library.
" "	The Isle of Wight Institution.
" "	The Canterbury Literary and Philosophical Society.
" "	The Penzance Subscription Library.
" "	The Scarborough Subscription Library.
" "	Devon and Exeter Institution.
" "	Dublin Library Society.
" "	The Greenock Public Library.
" "	Stroud Institution.
" "	Dr. Plume's Library, Maldon.
" "	The Birmingham Library.
" "	The Advocates' Library, Aberdeen.
" "	The Public Library, Bolton-le-Moors.
" "	The Belfast Society.
March 4	The East India Company.
" 5	Ditto - for the Presidency of Bengal, 3 copies.
" 7	Ditto - - ditto - - Bombay, 2 copies.
" "	Ditto - - ditto - - Madras, 2 copies.
" 24	Dr. Lingard.
" 25	The Library of the College, Homerton.
" 28	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
" 28	His Royal Highness the Duke of Sussex.
" 30	The Royal Library, St. Lucia.
" "	The Library of the House of Assembly, Upper Canada.
" "	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
" "	The Public Library, Lincoln.
" "	The Public Library, Montrose.
" 20	The English College, Rome.
June 9	R. Benson, esq.
" "	The Rev. J. Raine.
" "	John Gage, esq.
" 10	The Royal Academy, Dublin.
" "	The Office of Ulster King-at-Arms, Dublin.
" "	The Record Tower, Dublin Castle.
" "	The Dublin Castle Library.
" 11	W. H. Black, esq.
" 3	Mr. Serjeant Merewether.
" 20	Sir E. Sugden.
" "	Lord Lyndhurst.
" "	Lord Wynford.
" "	Lord Denman.
" "	Lord Abinger.
" "	Lord Devon.
" "	Sir W. Follett.
" "	Mr. Serjeant Wylde.
" "	Mr. Serjeant Spankie.
" "	Sir W. Horne.
" "	Dr. Lushington.
" "	The Attorney-General.
" "	The Solicitor-General.
" 21	Lord Chief Justice Tindal.
" "	Mr. Serjeant Stephens.
" "	The Vice-Chancellor.
" "	Thomas Pemberton, esq., M. P.
" "	Lord Stuart de Rothsay.
" "	The Hon. R. C. Fergusson.
" "	A. H. Lynch, esq., M. P.
" "	H. W. Tancred, esq, M. P.
" "	Sir J. F. Pollock.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Fines. Rot. Normanniæ. Excerpta. Int to Domesday, & Rot. Cur. Regis.—*cont^d.*
June 24	J. S. Brewer, esq.
" 27	Mr. Justice Coleridge.
" "	Mr. Justice Littledale.
" "	Mr. Baron Alderson.
" "	Horace Twiss, esq., M. P.
" "	Sir George Rose.
" "	The Hon. C. Law, M. P.
" "	Mr. Serjeant Talfourd.
" "	Lord F. Egerton.
" "	Sir James Graham.
" "	Professor Empson.
" "	Sir J. C. Hobhouse.
" "	Dr. Nicholl, M. P.
" "	Mr. Baron Gurney.
" 29	Viscount Morpeth.
" "	Lord Stanley.
" "	Viscount Howick.
" "	The Earl of Carlisle.
" 30	J. L. Knight, esq.
July 1	Lord Mahon.
" 4	Baron Bolland.
" "	The Taunton and Somerset Institution.
" "	The Subscription Library, Morpeth.
	Rot. de Oblatis, (8vo).
January 5	C. P. Cooper, esq., 2 copies.
" 10	Rev. J. Hunter.
" 11	Lord Brougham.
" "	H. C. Hobhouse, esq.
" "	The Speaker.
" "	The Secretary of State.
" "	The Chancellor of the Exchequer.
" "	The Master of the Rolls.
" "	Mr. Justice Park.
" "	The Lord Registrar of Scotland.
" "	The Earl of Aberdeen.
" "	Sir R. H. Inglis.
" "	The Archbishop of Canterbury.
" "	L. H. Petit, esq.
" "	The Bishop of Llandaff.
" "	H. B. Kerr, esq.
" "	H. Hallam, esq.
" "	John Allen, esq.
" "	Hon. Thomas Grenville.
" "	Edward Protheroe, esq.
" "	Hon. C. W. W. Wynn.
" "	Mr. Justice Bosanquet.
" "	W. Brougham, esq.
" 15	The Library of the House of Lords.
" "	Ditto - - - - House of Commons.
" "	His Majesty's Library.
" "	The State-Paper Office.
" "	The Cathedral, Westminster.
" "	The Chapter-House.
" "	The Augmentation Office.
" "	The Royal Institution.
" "	The Record Office, Tower.
" "	The British Museum.
" "	The Royal Library, British Museum.
" "	The Library of the Inner Temple.
" "	Ditto - - - - Middle Temple.
" "	Ditto - - - - Gray's-Inn.
" "	Ditto - - - - Lincoln's-Inn.
" "	The Rolls Chapel.
" "	The Library of Doctors' Commons.
" "	Ditto - - - College of Arms.
" "	Ditto - - - Society of Antiquarians.
" "	Ditto - - - Royal Society.
" "	Ditto - - - King's College.
" "	Ditto - - - Duchy of Lancaster.
" "	Ditto - - - London Institution.
" "	Ditto - - - Corporation of London.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Rot. de Oblatis.—*continued.*
January 15	The Library of Sion College.
– –	Dr. Williams's Library, Red-cross-street.
– –	The Archbishop of Canterbury's Library.
– 19	The Honourable Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	A. Owen, esq.
– 30	T. D. Hardy, esq.
– –	C. Roberts, esq.
February 1	The Literary and Philosophical Society, Sunderland.
– 5	The Subscription Library, Royston.
– –	Mr. Stevenson.
– –	Lord Melbourne.
– –	The Grand Ducal Library, Baden.
– 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Sir Robert Peel.
– 11	The Burslem Subscription Library.
– 12	The York Subscription Library.
– 13	George Baker, esq.
– –	The Cathedral Library, Lichfield.
– 22	The Lyceum Library, Liverpool.
– 25	The Alnwick Subscription Library.
– 27	The Newark Stock Library.
– 29	The Doncaster Subscription Library.
– –	The Isle of Wight Institution.
– –	The Canterbury Literary and Philosophical Society.
– –	The Penzance Public Library.
– –	The Scarborough Public Library.
– –	The Devon and Exeter Institution.
– –	The Dublin Library Society.
– –	The Greenock Public Library.
– –	The Stroud Institution.
– –	Dr. Plume's Library, Maldon.
May 9	The Birmingham Library.
– –	The Advocates' Library, Aberdeen.
– –	The Public Library, Bolton-le-Moors.
– –	The Belfast Society.
March 4	The East India Company.
– 5	Ditto - for the Presidency of Bengal, 3 copies.
– 7	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 24	Dr. Lingard.
– 25	The Library of the College, Homerton.
– 28	The Royal Society, Edinburgh.
April 21	The Grand Ducal Library, Darmstadt.
– 28	His Royal Highness the Duke of Sussex.
– 30	The Royal Library, St. Lucia.
– –	The Library of the House of Assembly, Upper Canada.
– –	The Library of the House of Assembly, Lower Canada.
May 18	The Library of Waterville College, Maine.
– –	The Public Library, Lincoln.
– –	The Public Library, Montrose.
– 20	The English College, Rome.
June 9	R. Benson, esq.
– –	The Rev. J. Raine.
– –	John Gage, esq.
– 10	The Royal Academy, Dublin.
– –	The Office of Ulster, King-at-Arms, Dublin.
– –	The Record Tower, Dublin Castle.
– –	The Dublin Castle Library.
– 11	W. H. Black, esq.
– 3	Mr. Serjeant Merewether.
– 20	Sir E. Sugden.
– –	Lord Lyndhurst.
– –	Lord Wynford.
– –	Lord Denman.
– –	Lord Abinger.
– –	Lord Devon.
– –	Sir W Follett.

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Rot. de Oblatis —*continued.*
June 20	Mr. Serjeant Wylde.
– –	Mr. Serjeant Spankie.
– –	Sir W. Horne.
– –	Dr. Lushington.
– –	The Attorney-General.
– 21	The Solicitor-General.
– –	Lord Chief Justice Tindal.
– –	Mr. Serjeant Stephen.
– –	The Vice-Chancellor.
– –	Thomas Pemberton, esq., M.P.
– –	Lord Stuart de Rothesay.
– –	The Hon. R. C. Fergusson.
– –	A. H. Lynch, esq., M.P.
– –	H. W. Tancred, esq., M.P.
– –	Sir J. F. Pollock.
– 24	J. S. Brewer, esq.
– 27	Mr. Justice Coleridge.
– –	Mr. Justice Littledale.
– –	Baron Alderson.
– –	Horace Twiss, esq., M.P.
– –	Sir George Rose.
– –	Hon. C. Law, M.P.
– 28	Mr. Serjeant Talfourd.
– –	Dr. Nicholl, M.P.
– –	Mr. Baron Gurney.
– –	Lord F. Egerton.
– –	Sir James Graham.
– –	Professor Empson.
June 9	Sir J. C. Hobhouse.
– –	Viscount Morpeth.
– –	Lord Stanley.
– –	Viscount Howick.
– –	Earl of Carlisle.
– 30	J. L. Knight, esq.
July 1	Lord Mahon.
– 4	Baron Bolland.
– –	The Somerset and Taunton Institution.
– –	The Subscription Library, Morpeth.
	Rotuli Selecti, (8vo).
January 5	C. P. Cooper, esq., 2 copies.
– 19	The Honourable Spring Rice.
– 21	The Supreme Court, Island of Mauritius.
– 23	A. Owen, esq.
February 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Sir R. Peel.
– 13	G. Baker, esq.
March 4	The East India Company.
– –	Ditto - for the Presidency of Bengal, 3 copies.
– –	Ditto - - ditto - - Bombay, 2 copies.
– –	Ditto - - ditto - - Madras, 2 copies.
– 28	His Royal Highness the Duke of Sussex.
	Description of the Patent Rolls, (8vo).
January 2	C. P. Cooper, esq., 2 copies.
– 5	Ditto - - - - - 2 copies.
– 12	The Rev. J. Hunter.
– –	C. P. Cooper, esq.
– –	Lord Brougham.
– –	H. Hobhouse, esq.
– –	The Speaker.
– –	The Secretary of State.
– –	The Chancellor of the Exchequer.
– –	The Master of the Rolls.
– –	Mr. Justice Parke.
– –	The Lord Registrar of Scotland.
– –	The Earl of Aberdeen.
– –	Sir R. H. Inglis, bart.
– –	The Archbishop of Canterbury.
– –	L. H. Petit, esq.
– –	H. Hallam, esq.

(*continued*)

DATE.	Titles of the Works, and Names of Individuals or Public Bodies to whom Works sent.
1836:	Description of the Patent Rolls.—*continued.*
January 12	John Allen, esq.
– –	Honourable Thomas Grenville.
– –	Edward Protheroe, esq.
– –	C. W. W. Wynne, esq.
– –	Mr. Justice Bosanquet.
– –	W. Brougham, esq.
– –	The Library of the House of Lords.
– –	Ditto - - - House of Commons.
– –	His Majesty's Library.
– –	The State-Paper Office.
– –	The Cathedral, Westminster.
– –	The Chapter-House.
– –	The Augmentation Office
– –	The Royal Institution.
– –	The Record Office, Tower
– –	The British Museum.
– –	The Royal Library, British Museum.
– –	The Library of the Inner Temple.
– –	Ditto - - - - Middle Temple.
– –	Ditto - - - - Gray's-Inn.
– –	Ditto - - - - Lincoln's-Inn.
– –	The Rolls Chapel.
– –	The Library of Doctors' Commons.
– –	Ditto - - College of Arms.
– –	Ditto - - Society of Antiquaries.
– –	Ditto - - Royal Society.
– –	The Library of King's College.
– –	Ditto - - Duchy of Lancaster.
– –	Ditto - - London Institution.
– –	Ditto - - Corporation of London.
– –	Ditto - - Sion College.
– –	Dr. Williams's Library, Red-cross-street.
– –	The Archbishop of Canterbury's Library.
– 19	The Hon. T. Spring Rice.
– 23	A. Owen, esq.
– 30	T. D. Hardy, esq.
– –	C. Roberts, esq.
Feb. 6	Lord Melbourne.
– 9	The Hon. Mr. Goulburn.
– –	The Duke of Wellington.
– –	Sir Robert Peel.
– 13	George Baker, esq.
April 28	His Royal Highness the Duke of Sussex.
May 3	Mr. Serjeant Merewether.
– 9	R. Benson, esq.
– –	The Rev. James Raine.
June 22	The Hon. R. C. Fergusson.
– –	A. H. Lynch, esq., M. P.
– –	H. W. Tancred, esq., M. P.
– –	Sir J. F. Pollock.

His Majesty's Printing Office,
16 July 1836.

Eyre & Spottiswoode.

Appendix (D.)

PAPERS DELIVERED TO THE COMMITTEE, FROM THE TREASURY, RELATING TO THE FINANCIAL AFFAIRS OF THE COMMISSION.

Appendix (D.)
No. 1.
Resolution appointing a Committee.

— No. 1. —

COPY of Resolution appointing the Committee on the Pecuniary Affairs of the Commission.

17 December 1835.

Present,—His Grace the Archbishop of Canterbury; the Right honourable Lord Brougham; the Right honourable the Secretary of State for the Home Department; the Right honourable the Chancellor of the Exchequer; the Right honourable Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M. P.; L. H. Petit, esq.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.; E. V. Utterson, esq.; William Brougham, esq.

The Chancellor of the Exchequer having stated that it appeared from the accounts forwarded by the Secretary to the Treasury that there was, on the 12th March 1835, a sum of nearly 5,000 *l.* due to the bankers and the secretary, and the secretary stating that, notwithstanding the receipt of the last grant, the existing debt was of a larger amount; and the Chancellor of the Exchequer having drawn the attention of the Commissioners to a letter addressed to the Board by the Lords Commissioners of the Treasury, in the month of July 1834, and the secretary stating, that although many of the suggestions contained in that letter would be found to be adopted in the accounts of the year succeeding July 1834, and which began 12th March 1835, yet that other suggestions could not be adopted by reason of the large debt incurred by the Board, and wholly arising out of the liabilities of the former Board, which it had discharged, and that there were, in his judgment, other grave defects in the system under which the pecuniary affairs of the Commission were carried on, which, from the same cause, it was difficult, if not impossible to remedy;—

It was ordered, that the Right honourable the Chancellor of the Exchequer, Mr. Brougham and Mr. Protheroe, do form a committee, to inquire into and report upon the above-mentioned matters.

Appendix (D.)

No. 2. Extracts from Minutes of Committee.

— No. 2. —

EXTRACT from Minute-book, as to the Proceedings of the Committee on the Pecuniary Affairs of the Board.

At a Committee of His Majesty's Commissioners on the Public Records, (Committee upon the state of the Finances and Accounts of the Board) meeting held at the Chancellor of the Exchequer's house, Downing-street, on Tuesday the 22d day of December 1835.

Present,—The Right hon. the Chancellor of the Exchequer; William Brougham, esq.

The secretary attended the Committee, and stated in detail the debts and liabilities of the old and new Boards; the secretary also stated the inconvenience experienced by him from the importunities of persons in the employ of the Board calling upon him to make advances on account, applications which he had much difficulty in refusing, from the knowledge which such persons had that his signature to cheques was alone required.

The Chancellor of the Exchequer undertook to prepare a report to the Board, and to forward it to Mr. Brougham and Mr. Protheroe, for their approbation and signature.—*N. B.* On Saturday the 26th December, the Rev. Mr. Forshall, the secretary of the British Museum, together with the accountant of that institution, attended at the house of the Chancellor of the Exchequer, in Downing-street, and exhibited to the secretary the account-books, cheque-books, and different papers and documents, connected with the mode of keeping the accounts and carrying on the pecuniary affairs of the Museum.

No. 3. Suggestions for consideration of the Chancellor of Exchequer.

— No. 3. —

SUGGESTIONS for the consideration of the Right honourable the Chancellor of the Exchequer, of the heads under which the Expenditure of the Record Board should for the future be arranged.

(A.) Sorting, cleaning, arranging, repairing and binding the Public Records in the Augmentation Office, King's Remembrancer's Office, Rolls Chapel and other Repositories:
1. Wages of workmen employed.
2. Materials, parchment, vellum, paper of different kinds, sponge, soap, tape, thread, bags, woollen and linen cloths, &c., presses, tools, &c.
3. Bills for binding.
4. Bills for chests, boxes, articles of furniture; also bricklayers and carpenters' bills, if any more should occur.
5. Coals, wood, &c.

(B.) Printing of the Public Records:
1. King's printer's bills, for printing and paper only.
2. Any other printers' bills.

(C.) Transcription:
1. The salaries of clerks employed in copying:
2. The sums paid to persons not having salaries; stating the copies made, the length and rate per folio.
3. A distinct account of the sums paid for searches and transcripts at Paris, Lille, Konigsberg, Rome, Lisbon, and elsewhere abroad.

(D.) Compilation (of Catalogues, &c.):
1. Libraries of the persons, if any, exclusively employed in this work.
2. A statement of the sums paid to persons having no salaries.

(E.) Salaries and other Remuneration of the Sub-commissioners, Editors, Sub-editors and other persons in the employ of the Board, not comprehended under any of the foregoing heads.

(F.) Bills for Books, with an explanation for what particular object the same are purchased.

(G.) Expenses attending the distribution of the Publications of the Board to Libraries and other Repositories at home and abroad; as binding, printing the names of such libraries and repositories on the reverse of the title-page of each volume; packing-cases, packing, carriage, porterage, postage and other charges.
[These expenses have hitherto formed part of the King's printer's bills for printing and paper.]

(H.) Stationer's Bills for Copying, as Returns to Parliament, &c.

(I.) Rent of Rooms and Incidental Expenses there.

(J.) Postage, Porterage, Coach-hire, distinguishing the amount of each.

(K.) A separate head for each printed volume, exhibiting the exact cost for transcription compilation, whether of text or indexes, authorship, editorship, printing, paper, &c.

New Boswell-court, 14 Jan. 1836. (signed) *C. P. Cooper.*

Appendix (D.)

No. 4. Report of Committee.

— No. 4. —
REPORT OF COMMITTEE.

The Committee appointed to consider the accounts of the Record Commissioners have examined into the same, in conjunction with the Treasury auditors, and have agreed on the following Report:

The present accounts are entered in two books, into which all entries of disbursements are made chronologically; the one a general account, and the other a petty cash account. The distinction between these two accounts is merely regulated by the fact, whether the payments are made by the secretary or by his clerk: in the latter case, the sums issued are placed to the account of petty cash.

All disbursements are made by the secretary or his clerk. The accounts are submitted to auditors, named by the Commissioners from their own body; and when considered, are signed by them, after an inspection of the vouchers. The authority for the payment is attested by a quorum Commissioner; and the whole are biennially rendered to the Treasury auditors, who report thereon.

All payments are directed by cheques, signed singly by the secretary. The grant is paid in to a private banker, from whom advances are made in anticipation of the Parliamentary vote, interest at 4 *l.* per cent. being charged on such advances.

Prior to 1834 advances were also obtained from the King's printer for the service of the Commission, on which advances interest, at 5 *l.* per cent., was charged. This part of the system has been abandoned, by desire of the Treasury, signified in an official letter, dated 22 July 1834. That letter contained several other suggestions in respect to alterations in the financial management of the affairs of the Commission; but as it was received in the middle of the year, it has not been as yet carried into practical effect.

Your Committee consider this entire system of disbursement and of account to be capable of considerable improvement, and they submit the following observations to the Board:

They conceive that the audit of these accounts should hereafter take place at the Treasury, not biennially, but once every year; and that the letters of the Treasury, founded on the reports of the auditors, be entered in the Agenda, and specifically brought under the notice of the next board.

They recommend that hereafter the Parliamentary grant, as well as all other receipts, should be paid into the Bank of England, to the credit of the Record Commission, to be drawn out on cheques, signed by three Commissioners, at a Board meeting, and countersigned by the secretary, and stating the name of the party to whom each check is payable and the service for which it is due.

Your Committee recommend, that in addition to the accounts now kept of the cash disbursements, there should also be made out a regular analytical account, under the following heads:

1. Cleaning and arranging of Records.
2. Salaries and other Expenses in transcribing.
3. Foreign Expenditure.
4. Compiling Catalogues.
5. Stationery.
6. Printing.
7. Bookbinding.
8. Purchase of Books.
9. Salaries and Wages.
10. Repairs, Chests, Furniture.
11. Rent, Coals, Candles, Soap, and other Necessaries.
12. Coach-hire.
13. Porterage.
14. Postage.

From the above heads it is proposed that accounts should be also kept of,

1st. The expense attending presentation copies.

And also that a separate account should be opened for all the principal works carrying on by authority of the Commissioners, in order to show the amount expended on each publication.

The amount now included under the head of Petty Cash appears to your Committee far too great, and regulated upon a very defective principle. All wages and salaries should be brought into the principal account under their respective heads, and also all payments for stationery, binding, and purchase of books.

Your Committee consider that entries of payments on account create great confusion and uncertainty. So far as is possible payments should be made in full, and when this cannot be effected, that payments should clear the accounts to a given day, and should set forth how much remains due to the day of payment.

Your Committee consider that much complexity will be avoided if one account with a single bookseller be substituted for the many accounts now subsisting. All stationery, and everything that can be procured through the Stationery-office, being ordered from thence, and all the printers' bills being regularly submitted to the comptroller before payment.

Your Committee regret to say that some difficulties will be found to exist, and to impede the immediate execution of these necessary changes, in consequence of the heavy debt, amounting to 21,822*l.*, to which the Board is stated by the secretary to be liable. This sum amounts to two years' ordinary income of the Board, and is stated to have been incurred in consequence of the payment of a similar sum for the old Board. How much may be due for wages and salaries, and what may be the expenditure for the next quarter, has not been stated.

But

Appendix (D.)

No. 4.
Report of Committee.

But it appears of the most urgent necessity that these accounts should be forthwith made out, in order that the opinion of the Treasury may be taken thereon, previous to the Parliamentary estimate, as your Committee consider it wholly inexpedient that the present system of debt and deferred payment should be persevered in, by which the Parliamentary vote is constantly exceeded, without the knowledge of the House of Commons or the authority of the Treasury.

The Committee annex to their Report a more particular statement which they have received from Mr. Cooper since his verbal communication to them, on the subject of the actual amount of the old and the present debt; and they also annex a memorandum which they have received from the Rev. Mr. Forshall (the Secretary to the British Museum) describing the regulations observed in the management of the income and expenditure of that establishment.

(signed) *T. Spring Rice.*
W. Brougham.
Edward Protheroe.

APPENDIX TO REPORT.

	£.	s.	d.
The amount of the debts and liabilities of the old Commission left unpaid was -	25,008	7	2
Of which there has been liquidated by the present Commission - - - -	20,353	13	8
Leaving a balance still unpaid off - - - - - -	4,654	13	6
That the debt incurred by the present Commission may be estimated as follows; viz.			
Loan from Messrs. Eyre & Spottiswood - - - £. 3,000 – –			
Bills for new works completed - - - - - 3,361 16 6			
Expenses on account of presentation copies - - - 1,806 3 10			
Due to the banker and secretary, about - - - 8,000 – –			
16,168 – 4			
For ordinary expenses to 5th April 1836 - - - 1,000 – –			
	17,168	–	4
£.	21,822	13	10

New Boswell-court, Lincoln's Inn,
11 January 1836.

Sir,

I have the honour to enclose for your information a statement of the debts and liabilities of the former Record Commission which have been paid and satisfied by the new Board, as also of the debts of the old Board still unpaid. The former amount to 20,353*l.* 13*s.* 8*d.*, the latter to 4,654*l.* 13*s.* 6*d.* The items will appear more fully by the Returns.

The Debts of the New Board are as follows:	£.	s.	d.
Money borrowed from Messrs. Eyre & Spottiswood - - - - -	3,000	–	–
Bills for new works completed, printing and paper - - - - -	3,361	16	6
Bills for binding, postage, and other expenses attending the presentation of the publications of the Board, in His Majesty's name, to different libraries, and other repositories at home and abroad - - - - - -	1,806	3	10
Due to the bankers and secretary, about - - - - - - -	8,000	–	–

I have stated this last amount as about 8,000*l.*, as the accounts subsequent to the 12th March last have not been audited, nor have they been examined by any person conversant with such matters, or regularly balanced.

I trust that I shall be able to forward the Returns to the Treasury in the course of a few days. The delay has been occasioned by my bringing them down to the 31st December, as well as by the endeavour to classify the items, so as to exhibit the cost and expenses of the different works and operations.

In answer to the question, What sum will be sufficient to defray necessary outgoings from the present period to the 1st April? I conceive that the sum of 1,000*l.* would be ample. In this calculation I comprise some few salaries, payable quarterly, that will not become due until Lady-day, and any trifling delay in the payment of which would be a great inconvenience to the parties.

I have the honour to remain, Sir,
Your obedient humble servant,
C. P. Cooper.

The Right Hon.
The Chancellor of the Exchequer.

Debts and Liabilities of the Old Commission which have been Paid and satisfied by the New Board.

		£.	s.	d.
1831: Aug. –	Paid King's printer - - - - - - - - -	2,929	13	10
— Aug. 27	Paid Mr. Caley on account of salary, as secretary to the late Commission - - - - - - - - -	210	–	–
	Paid Mr. Caley on account, for the reparation of the public records - - - - - - - - -	200	–	–
— Aug. 29	Paid R. Price, esq. editor of Anglo-Saxon Chronicle - -	125	–	–
— Sept. 1	Paid Francis Palgrave, esq. editor of the Parliamentary Writs -	1,588	3	4
— Nov. 30	Paid R. Price, esq. - - - - - - - - -	125	–	–
— Dec. 22	Paid T. Thomson, esq. for disbursements, &c. &c. at Edinburgh	2,912	–	–
— Dec. 28	Paid A. Owen, esq. editor of Welsh Chronicles - - -	50	–	–
— Dec. 29	Paid Mr. Caley for bookbinders' bills - - - - -	87	11	6

(continued)

Appendix (D.)

No. 4.
Report of Committee.

		£.	s.	d.
1832: Feb. 6	Paid Mr. Caley on account, for reparation of records	100	–	–
— Feb. 28	Paid R. Price, esq.	50	–	–
— May 10	Paid R. Price, esq.	75	–	–
— June 1	Paid Mr. Palmer for Index to Inquisitiones Post Mortem	177	–	–
— June 2	Paid R. Price, esq.	125	–	–
	Paid R. Price, esq. for travelling expenses	40	13	10
	Paid King's printer on account	4,250	–	–
— June 4	Paid Mr. Caley for arrears due to him for services on the Valor Ecclesiasticus	262	10	–
— June 9	Paid Mr. Lemon for transcribing and collating documents	42	15	4
— June 19	Paid Mr. Palgrave, as per account	1,302	19	6
— June 22	Paid Mr. Caley for bookbinders' bills	93	8	6
	Paid Mr. Caley for reparation of records	127	1	1
— July 10	Paid Hodgson for transcripts	20	–	
— July 13	Paid F. Holbrooke, esq. for his services as sub-commissioner, from March 25, 1830, to March 25, 1831	300	–	–
— July 18	Paid Mr. Minchin, executrix of W. Minchin, esq. deceased, for arrears due to the estate of the said William Minchin, in respect of the Duchy of Lancaster Records	182	5	3
— July 28	Paid Mr. Caley on account, for reparation of public records	150	–	–
— Aug. 10	Paid Leaver for copying proceedings of Mr. Bayley's committee, &c. &c., as per account	18	18	–
	Paid Williams for copying ditto, &c. &c., as per account	10	15	–
— Aug. 17	Paid Mr. Bayley for Chancery proceedings, temp. Elizabeth	150	–	–
— Aug. 22	Paid R. Price, esq.	125	–	–
— Nov. 23	Paid R. Price, esq.	125	–	–
— Dec. 8	Paid Mr. Caley for binding and repairing the records	207	18	2
1833: Mar. 2	Paid R. Price, esq.	125	–	–
	Paid Messrs. Roworth for printing various reports and papers relative to the Parliamentary Writs and Calendars of proceedings in Chancery in the time of Queen Elizabeth	56	3	3
	Paid for copying various reports, accounts and papers, for the most part relating to the Parliamentary Writs and Calendars of Chancery proceedings. [The amount cannot be exactly ascertained.]			
— Mar. 30	Paid Mr. Petrie on account of collection of materials for the History of Britain	28	3	–
— April 2	Paid Mr. Frederick Devon for Index to an unfinished volume of the Fœdera	31	10	–
— Sept. 25	Paid A. Owen, esq.	250	–	–
	Paid Mr. William Hardy on account of the unfinished volume of the Duchy of Lancaster Records	50	–	–
	Paid Mr. Caley	1,000	–	–
— Dec. 19	Paid Trickett for binding	109	1	6
1834: Jan. 2	Paid King's printers for balance of a bill for work done under old Commission	289	19	–
	Ditto - - ditto for printing volume of Calendars of Chancery Proceedings, left unfinished by the former Board	481	3	–
— Mar. 29	Paid Mr. Petrie on account of the collection of materials for the History of Britain	16	15	–
— Apr. 24	Paid Mr. William Hardy on account of an unfinished volume of the Duchy of Lancaster Records	50	–	–
— June 25	Paid Mr. Robert Lemon for Indexes to the sixth volume of the Valor Ecclesiasticus	373	16	–
— July 3	Paid Miss Caley, executrix of Mr. Caley	500	–	–
— Aug. 5	Paid Miss Caley balance due to Mr. Caley's estate, for binding records	123	5	8
— Sept. 8	Paid Mr. William Hardy on account of the third volume of the Duchy of Lancaster Records	50	–	–
— Sept. 12	Paid Cox for Index to Records at Augmentation Office	105	–	–
— Sept. 26	Paid Messrs. Roworth for printing different letters, reports, &c. upon the Chancery Calendars of the Reign of Queen Elizabeth and upon the Parliamentary Writs	89	4	9
	Paid for transcribing different bills, memorials, letters, reports and other papers, mostly concerning the publication of the Parliamentary Writs and the Chancery Proceedings of Queen Elizabeth. [The amount cannot be stated.]			
1835: Aug. 21	Paid Trickett for binding, under Mr. Caley's direction	21	13	–
	Paid Messrs. Roworth & Son for printing papers relative to the case of Robert Pitcairn, esq. writer to the signet, in the employ of the former Board	31	5	6
	Paid for copying various documents and papers relative to Mr. Pitcairn's case. [The sum cannot be ascertained.]			
	Paid Mr. William Hardy balance in respect of an unfinished volume of Duchy of Lancaster Records	358	9	11
— Sept. 7	Paid the estate of the late Mr. Minchin for an unfinished volume of Duchy of Lancaster Records	29	10	9
	£.	20,353	13	8

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Appendix (D.)

No. 4. Report of Committee.

DEBTS OF THE OLD BOARD STILL UNPAID.

	£.	s.	d.
Valor Ecclesiasticus, vol. 6, printing and paper	531	17	6
Introduction to ditto	25	17	6
Fœdera Conventiones, printing and paper, &c., an unfinished volume	49	19	–
National Historians, printing and paper	909	8	9
Ditto	209	4	3
Ditto	14	11	6
Ditto	195	8	–
Parliamentary Writs and Writs of Military Service, printing and paper	1,381	7	6
Calendar of records in the Duchy of Lancaster, printing and paper	633	3	6
Ditto	3	16	–
Remuneration awarded by the Report of the Committee of the day of 1835 to Mr. Robert Pitcairn, for services performed during several years at the General Register House, Edinburgh	700	–	–
£.	4,654	13	6

ACTUAL DEBTS AND LIABILITIES.

	£.	s.	d.
Money borrowed from Messrs. Eyre & Spottiswoode	3,000	–	–
King's printer's bills for the following works completed at press: five volumes of the Proceedings and Ordinances of the Privy Council of England; a volume of Records selected from the Chapter House; first volume of Rolls of Normandy; the first volume of Fines; the first volume of Excerpts from the Fine Rolls; the two volumes of the Rolls of the Curia Regis; the first volume of the Patent Rolls; the volume of Oblata Rolls, and the octavo edition of the Introduction to the Patent Rolls	3,361	16	6
Bills for binding, carriage, postage, and other expenses attending the presentation of the publications of the Board, in His Majesty's name, to different libraries and other repositories at home and abroad	1,806	3	10
Due to the bankers and secretary, about	8,000	–	–
£.	16,168	–	4

BRITISH MUSEUM.

THE annual Parliamentary grant passes by four equal instalments from the Treasury to the Bank of England, from whence it is drawn by the cheques of the Trustees, as ordered at their meetings. The cheques are drawn for the sums due for each account as presented and certified by the officers at the heads of the several departments, and are signed by three Trustees. Similar cheques are drawn for the salaries of the officers.

The cheques and accounts pass from the secretary to the principal librarian, who is expenditor; are paid by him to the parties entitled to receive the money, and the receipts are then handed to the accountant, who charges them in the ledger under the respective heads of expenditure, and has the custody of the vouchers.

The salaries and wages of the assistants, attendants and servants, with accounts under 5 *l*, are paid by the expenditor, to whom the Trustees issue, by cheques, sums of money as imprests, to meet the payments which are expected to fall due previous to their next meeting. This account is annually audited by the Trustees.

6 January 1836. (signed) *M. Cowtan*, Accountant.

— No. 5. —

TREASURY LETTER and REPORT as to the Record Commission Account.

No. 5. Treasury Letter and Report on Record Accounts.

My Lords and Gentlemen, Treasury Chambers, 16 Feb. 1836.

THE Lords Commissioners of His Majesty's Treasury having received from the auditors of this Board a report on the accounts of your secretary for the expenditure of the period commencing 12th March 1833 and ending 12th March 1835, in the principles and recommendations contained in which report my Lords entirely concur, I have it in command to transmit herewith a copy of that report, and of the statement therein contained, with the recommendation of this Board that you should give such instructions upon the subject as may appear to you to be necessary for placing this matter for the future upon the footing suggested by the Treasury auditors, if you shall concur, which my Lords do not doubt, in opinion with this Board as to the advantages to be derived from the adoption of those recommendations.

I am, &c.
(signed) *A. Y. Spearman.*

The Commissioners of Public Records.

Appendix (D.)

No. 5. Treasury Letter and Report on Record Accounts.

My Lords, Treasury Chambers, 11 Feb. 1836.

In obedience to your Lordships' commands, we have examined the accounts of C. P. Cooper, Esq., as secretary to the Commissioners on the Public Records of the kingdom for the years ended the 12th March 1834 and the 12th March 1835, and have the honour to report, that attached to the said accounts are the certificates of the Right honourable Lord Brougham, as Lord Chancellor, and the Right honourable James Abercrombie, as Speaker of the House of Commons; that these accounts have been audited by Messrs. Hallam, Allen, and Protheroe, three of the Commissioners, and that the several disbursements stated in the accounts have been made by the authority, and under the sanction of the Commissioners on the Public Records; also the certificates of the before named Commissioners that they have examined the vouchers produced for the principal payments included in these accounts, which they have found to be exact, and that the balance of 4,934 *l.* 4 *s.* 9 ¾ *d.* should be carried to Mr. Cooper's credit in his next account; and we find the accountant has duly charged himself the sum of 953 *l.* 15 *s.* 7 *d.*, indebted upon his former account for this service to the 12th March 1833, upon which a report was submitted to your Lordships on the 2d July 1834; also the several sums, amounting to 18,000 *l.*, issued from the Exchequer for this service during the period of the present accounts, together with 808 *l.* 6 *s.* received for the sale of surplus record publications, and the sums of 4,000 *l.* and 200 *l.* advanced on loan by the King's printers and Messrs. Williams & Co., bankers. And with reference to the discharge part of this account, we find that satisfactory vouchers are produced for the whole of the payments claimed therein, with the exception of 5 *s.* 6 *d.* erroneously claimed in the bill of H. Heard, builder, which we propose to surcharge; also for the several sums claimed as petty cash payments, for wages of labourers employed in the several record depositories, for the cost of books and stationery, postages, porterages, coach and cab hire, and other incidental expenses, as far as the nature of the services rendered it practicable; and having caused the computations and castings of such of the tradesmen's bills and other documents as have been produced to be examined, the whole have been found accurate, with the exception of the sum of 5 *s.* 6 *d.* before adverted to. We have accordingly prepared, and take leave to enclose, a statement of this account, in which we have endeavoured to classify the several payments upon the principle adopted in the preceding account, and should your Lordships be pleased to approve of the said account and statement, the accountant will be in surplusage thereon the sum of 4,933 *l.* 19 *s.* 3 ¾ *d.* (exclusive of 3,000 *l.* remaining due to the King's printer for advances on loan), which sum of 4,933 *l.* 19 *s.* 3 ¾ *d.* it may be proper he should be directed to carry forward to his next account for this service. In consideration of the principle upon which this Commission is constituted, and the peculiar nature of its duties, coupled with the certificates of the accuracy thereof, as before adverted to, we have in our examination of this account adopted the mode sanctioned by your Lordships with respect to the previous accounts for this service by considering it simply as a cash account, without reference to the propriety of the expenditure, which we hope may meet your Lordships' approbation.

We beg leave further to state to your Lordships, that during our examination of this account we received from a committee of members of the Record Commission an intimation of their desire to communicate with us on some points connected with the mode of managing the financial affairs of the Commission, which the committee then had under their consideration.

In this communication we had an opportunity of making some suggestions respecting the accounts rendered by the Commission, which we should otherwise think it our duty to submit to your Lordships' consideration; but as the committee most cordially concurred in our views, and furthered them by measures of their own proposing, we have now little more to do than to state to your Lordships the several improvements in the system, which the committee expressed to us their intention of recommending to the Board of Commissioners.

These improvements were as follow:

1. That there should be a clear and satisfactory classification of the whole expenditure, under appropriate heads, as similar as circumstances will permit with the classification observed in the annual estimates and accounts laid before Parliament by the Trustees of the British Museum.

2. The expediency of applying to the Treasury for the means of liquidating the debts which the Commission have incurred in consequence of the claims which the late Commission left undischarged.

3. The avoidance of borrowing money from the King's printer, or from any private banker or other person, in future.

4. The deposit of the funds of the Commission at the Bank of England, with a regulation by which the drafts for payments thereout shall in future be signed by three of the Commissioners, and countersigned by the secretary, each cheque stating the name of the person paid, and the service for which the payment is made.

5. The payments to be always in full of a service, up to a particular day, instead of being made on account.

6. The accounts of the Commission to be rendered to the Treasury annually, instead of biennially.

7. That all articles of stationery should be obtained from the Stationery-office.

8. That the King's printer's bills should be submitted to the comptroller of the Stationery-office before payment.

9. That

9. That the dealings of the Commission for books should be confined, if possible, to one bookseller, so that there may be only one account for this part of the service.

With reference to the classification of the future accounts for this service, commencing with the account to be rendered for the year ending the 12th March next, it may be satisfactory to your Lordships to see the several principal heads under which it is proposed hereafter to distribute the disbursements; namely,

1. Cleaning and arranging the Records.
2. Salaries and other Expenses in transcribing.
3. Foreign Expenditure.
4. Compiling Catalogues.
5. Stationery.
6. Printing.
7. Bookbinding.
8. Purchase of books.
9. Salaries and Wages.
10. Repairs, Chests and Furniture.
11. Rent, Coals, Candles, Soap and other Necessaries.
12. Coach-hire.
13. Porterage.
14. Postage.

Distinct from the above heads it is proposed that an account should be kept of the expenditure attending presentation-copies, and that a separate account should also be opened for all the principal works carrying on by authority of the Commissioners, for the purpose of showing the amount expended on each publication.

In reference to the whole of the debts of the present Commission, we cannot refrain from expressing our humble opinion, that as they must at some time be cleared off, and as the sums borrowed are attended with an annual charge for interest, and the accounts are embarrassed and rendered complicated by them as long as they continue, the sooner they are entirely liquidated the better.

We would further suggest, that whenever an account is rendered to the Treasury by the Commission, or an estimate is submitted for your Lordships' approval, to be laid before Parliament, such account or estimate should be invariably accompanied with a brief statement of the funds and liabilities of the Commission.

We have, &c.,
(signed) *T. C. Brooksbank.*
Henry Sanford.

Appendix to Treasury Report.

Statement of the Account of C. P. Cooper, Esq. as Secretary to the Commissioners on the Public Records of the Kingdom, in respect of Sums issued, &c. to him to defray the Expenses of the Commission, from the 12th March 1833 to the 12th March 1835.

Charge.	£.	s.	d.
The accountant is charged the sum indebted on his former account for this service to the 12th March 1833, exclusive of 1,000 *l.* advanced on loan by the King's printers, as stated in the report submitted to your Lordships on the 2d July 1834	953	15	7
Also the sums issued from the Exchequer for this service, namely,			
1833: September 23 - £. 4,000 – –			
— — — 4,000 – –			
1834: June 16 - 10,000 – –			
	18,000	–	–
Also the sum stated to have been received of Messrs. Baldwin & Co. for surplus record publications, &c. sold by them	808	6	–
Also the following sums, stated to have been received of the following persons as advances on loan to the Commissioners, in addition to 1,000 *l.* included in the preceding account for this service, as one advance by the King's printer; namely,			
The King's printers.—1833: June 1 - £. 1,000 – –			
Ditto 1834: Jan. 9 - 1,000 – –			
Ditto — Feb. 22 - 1,000 – –			
Ditto — April 11 - 1,000 – –			
Messrs. Williams & Co. bankers, 5 September 1833 - 200 – –			
	4,200	–	–
The accountant has also charged himself the following sums, namely, so much repaid by Mr. Spooner, being amount advanced to him, as stated in the discharge part of this account, for the purpose of searching manuscripts in Spain	20	–	–
Also Mr. Cole, being part of the sum of 10 *l.* advanced to him for expenses in recovering records supposed to have been stolen	6	12	6
Amount of an error in carrying forward the receipts for this service from folio 3 to 4 in the ledger of this accountant	–	1	–
Surcharge.			
The accountant is surcharged the amount claimed in discharge part of this account, for an overpayment to H. Heard, builder	–	5	6
Total Charge - £.	23,989	–	7

(continued)

Appendix (D.)

No. 5. Treasury Letter and Report on Record Accounts.

DISCHARGE.

	£.	s.	d.
The accountant claims to be allowed the following sums, paid to the late John Caley, esq., and his representatives, namely, materials and wages in the preparation of records for binding, from 1 December 1832 to 4 May 1833, for Augmentation Office, Chapter House, Westminster Duchy Office, Lancaster, and Rolls Chapel - - - - - - - - - - £. 223 5 8			
Three years' retired allowance, ended Lady-day 1834 - - - 1,500 – –			
	1,723	5	8
Also to Sir Francis Palgrave, as editor of the Rolls of Parliament; namely,			
Clerks' salaries, stationery, and sundry editorial charges - £. 1,101 12 –			
Salary for one year and a half, ended the 25th March 1834 1,500 – –			
On account of salary from the last-mentioned period - - 800 – –			
	3,401	12	–
Also for the salary of this accountant for two years and one quarter, ended 26th December 1834, at 500*l.* per annum - - - - - - - - -	1,125	–	–
Also for transcripts, collating clerks' salaries, &c. paid to the following persons; namely,			
P. E. Adlington, for services in 1832 - - - - £. 84 – –			
J. Baker, transcripts Privy Council Books - - - 376 19 4			
J. S. Brewer, Queen's College, Oxford - - - - 115 10 –			
W. H. Black, transcripts Docquet Book Charles 1st, &c. - 420 – –			
Edward Bell, for salary - - - - - - - - 29 10 –			
W. H. Bennett - - - - - - - - - 65 – –			
R. D. W. Bond - - - - - - - - - 115 14 –			
E. A. Bond - - - - - - - - - 105 – –			
James Bacon, general assistance - - - - - 20 – –			
Henry Cole, salary - - - - - £. 300 – –			
Extra service - - - - - - 274 6 –			
574 6 –			
E. Cox, for index to records Augmentation Office - - 105 – –			
F. Devon, for index to Fœdera, &c. - - - 233 8 6			
C. Devon, transcripts Pipe Rolls, &c. - - - - 340 18 8			
D. J. Drescher, for salary - - - - £. 160 – –			
Extra service - - - - - - 25 – –			
185 – –			
W. Foxton, editing Great Rolls of Pipe - - - 95 6 –			
Henry Gay, for services - - - - - - - 14 15 –			
J. Hunter, salaries and travelling expenses - - - - 570 – –			
W. Hardy, editor of Close Rolls, &c. - - - - - 150 – –			
T. D. Hardy, - ditto - - - - - - - 1,362 3 6			
J. Leaver, copying returns to Parliament - - - - 41 3 4			
R. Lemon, sen., compiling, &c. analytical indexes to vol. 6, Valor Ecclesiasticus - - - - - - - - - 373 16 –			
Dennis Murphy, for services - - - - - - - 45 – –			
Sir Henry Ellis, Introduction to Doomsday Book - - - 300 – –			
Sir N. H. Nicolas, editing Proceedings of Privy Council - 900 – –			
Anewrin Owen, for salary - - - - - - - - 671 10 –			
Charles Panton, arranging Pipe Office Records - - - 161 – 6			
Richard Price, balance of salary - - - - - - 125 – –			
Charles Roberts, transcripts of Close Rolls - - - - 189 9 –			
George Smith, salary - - - - - - - - - 41 5 –			
J. Stevenson, works for Fœdera - - - - - - 270 – –			
H. Wylde, jun., transcribing - - - - - - - 14 10 –			
B. Thorpe, for business done - - - - - - - 160 – –			
John Trickey, work in King's Remembrancer's Office - - 312 10 –			
J. Webster - - - - - - - - - - - 95 – –			
H. Petrie - - - - - - - - - - - 44 18 –			
	8,707	12	9
Also the Sums paid for printing, binding, &c. of Record works; namely,			
J. Batchelor, binding, repairing, &c. - - - - - £. 265 17 4			
C. Roworth and Sons, printers - - - - - - 935 19 –			
Trickett, for binding - - - - - - - - - 109 1 6			
King's printers, printing various record works - - - 3,209 15 8			
	4,520	13	6
Also the Sums paid for Foreign Expenditure connected with the Records; namely,			
Adrian Berbrugger - - - Paris - - - - - £. 60 – –			
M. Baur - - - - Altona - - - - - 378 18 5			
P. R. Collard - - - Paris - - - - - 556 14 3			
John Kortnisky - - - — - - - - - 31 10 –			
C. Kock and G. Kock - - Frankfort - - - - - 104 16 2			
G. W. Bethmana - - - ditto - - - - - 39 8 –			
Charles Masterton - - - Lisbon - - - - - 230 – –			
P. Grio and Co. - - - Milan - - - - - 40 2 4			
L. A. Warnkoing - - - Ghent - - - - - 558 18 4			
C. P. Serrure - - - ditto - - - - - 40 – –			
M. W. Spooner - - - Spain - - - - - 20 – –			
	2,060	7	6

Appendix (D.)

No. 5. Treasury Letter and Report on Record Accounts.

	£. s. d.	£. s. d.
Also for cost of Books, Stationery, &c. as follows:		
J. and A. Arch	– 18 –	
J. Bigg	15 11 3	
Black, Young, & Co.	130 18 –	
James Bohn	9 9 –	
W. H. Bond	12 – –	
John Cochrane	36 15 –	
Calkin & Co.	14 9 –	
H. Dixon	243 6 6	
Dulau & Co.	8 5 –	
W. Pickering	25 16 –	
J. Sweet	49 11 6	
J. Thorpe	18 4 –	
J. Wilson	3 2 –	
T. Rodd	171 13 –	
		739 18 3
The Sums paid for Repairs to Buildings, Furniture, Necessaries, &c.; namely,		
J. Howard, for bags	£. 37 10 –	
H. Bobbin, for a desk	8 5 –	
Carriage of general report to mayors and chief officers of cities and towns	77 18 –	
Joseph Crane, for a table	6 6 –	
Freights from Calais, Hamburgh, &c.	63 6 –	
J. Gibbs, for parchment	58 3 –	
D. Haybittle, coal-merchant	32 3 –	
T. Morris, for presses	8 15 –	
J. Parker, for boxes	5 16 8	
G. Smith, rent of Record rooms, New Boswell-court	70 – –	
R. Thompson, work in Stone Tower, Westminster	3 17 6	
H. Heard, builder, including 5 *s.* 6 *d.* surcharge, namely, Record rooms, New Boswell-court	382 15 –	
Chapter House and Augmentation Office	528 13 6	
Foreign letters, their postage	– 14 8	
		1,284 3 4
Also the Sum repaid to Messrs. Williams & Co., bankers, in repayment of Loan from them, namely,		
Principal	£. 200 – –	
Interest	3 4 1	
		203 4 1
Also to the King's Printers, in part repayment of Loan from them of 5,000 *l.*, namely,		
Principal	£. 2,000 – –	
Interest	177 3 –	
		2,177 3 –
The Accountant also claims the following Sums as petty cash disbursements, of which detailed accounts are rendered, but without classification, consisting of numerous daily payments, chiefly for wages to labourers employed on various depositories for the records, necessaries, petty stationery, books, &c., and for postage, porterages, coach and cab-hire, &c.; namely,		
In the year ended 12 March 1834		1,458 6 6
— — 1835		1,521 13 $3\frac{3}{4}$
Total Discharge		28,922 19 $10\frac{3}{4}$
Total Charge		23,989 – 7
Accountant in Surplusage	£.	4,933 19 $3\frac{3}{4}$

Accountant, in surplusage, 4,933 *l.* 19 *s.* $3\frac{3}{4}$ *d.*, in addition to which the sum of 3,000 *l.* remains payable to the King's printer, in respect of money advanced by him on loan, and credited in this account.

(signed) *T. C. Brooksbank.*
Henry Sanford.

Treasury Chambers,
11 Feb. 1836.

(*Vide* App. C. 7, p. 813.)

Appendix (E.)

Appendix (E.)

Booksellers' Bills sent from the Treasury.

SELECTION FROM THE ORIGINAL BOOKSELLERS' BILLS SENT FROM THE TREASURY.

Bought of *R. Priestley*, Bookseller, 143, High Holborn.

1831:		£.	s.	d.
Decem. 5	Archæologia, 22 vols., with Index and Catalogue of Books of the Antiquarian Society, 24 vols.	28	–	–
	Alien Priories, 2 vols.	–	18	–
– 14	Dufresnoy's History, 2 vols.	–	18	–
– 19	Archæologia, Vol. 23	2	12	6
	Binding Archæologia, Vols. 20, 21, 22, and 23; 4 vols.	1	16	–
	Gentleman's Magazine, 1827, November, December, and Supplement	–	6	–
	Ditto, 1830, August and September	–	4	–
	Registrum Saxonic', &c.	1	11	6
	Chronicon Velodunonse	1	16	–
	Hemingford Chart' *ab* Hearne, 2 vols., scarce	4	14	6
	£.	42	16	6

The Honourable the Commissioners on the Public Records, bought of *Richard Priestley*.

1832:		£.	s.	d.
February 1	Warner's Ireland, 2 vols. 4to.	2	2	–
	O'Flaherty's Ogygia Hib.	2	2	–
	Ware's Ireland, by Harris, 2 vols.	12	12	–
	O'Connor's Rerum Hibernicarum Scriptores Veteres, 4 vols., very scarce	31	10	–
	Tyrell's Bib. Politica	1	5	–
(*returned*)	Ames, by Herbert, 3 vols.	3	10	–
	Nichols' Illustrations	3	13	6
	Anderson's Collections, 4 vols.	3	3	–
	Keith's Scotland	3	13	6
	——— Scotch Bishops, 4to.	1	1	–
	Gutch's Collectanea, 2 vols.	1	4	–
	Vallencey's Collectanea de Rebus Hibernicis, 6 vols., 8vo.	12	12	–
	Harris's Hibernica, folio	1	11	6
	"Query 3 vol. by Herbert returned." (*Remark in pencil.*) £.	79	19	6

The Honourable the Commissioners on the Public Records, bought of *R. Priestley*.

1832:		£.	s.	d.
April 13	Rushworth's Historical Collections, 8 vols., best edition	7	17	6
	Nelson's Historical Collections, 2 vols.	2	8	–
	Lambard's Perambulation of Kent	1	4	–
	Forbes' State Papers, 2 vols.	1	16	–
	Stafford's Letters, 2 vols.	2	12	6
	Burghley's State Papers, 2 vols.	4	14	6
	Catalogue, MSS, Ang. Hibernica, 1697	1	4	–
	Rearing's Catalogue of Sion College Library	1	4	–
	M'Pherson's State Papers, 2 vols.	1	10	–
	Archdall's Monasticon Hibernica	2	2	–
	Croft's Excerpta, 8vo.	–	8	–
	Monasticum Hibernicum	–	14	–
	Parker's Catalogue, MSS., 4to.	–	14	–
	Binding Keith's Scotland	–	12	–
	Keating's Ireland, folio	5	5	–

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Appendix (E.)

Booksellers' Bills sent from the Treasury.

1832:		£.	s.	d.
April 13	Anderson's Independ. of the Crown of Scotland	–	12	–
	Carte's Letters, 2 vols.	–	18	–
	Ruddimasmi Epistola	1	4	–
	Culloden Papers, 4to.	2	17	–
	Nichols' Literary Anecdotes, 4to.	1	4	–
	Binding ditto	–	7	–
	Ancient Irish Historians, 2 vols.	–	18	–
	Jamieson's Scottish Dictionary, (scarce)	1	4	–
	Fosbrook's British Monachism	2	12	6
	Binding ditto, 4to.	–	10	6
*	Lodge's Illustrations, 3 vols.	3	10	–
	Binding ditto, 3 vols.	1	4	–
	£.	51	6	6

* ~~This is a mistake, it must be deducted.~~

The Honourable the Commissioners on the Public Records bought of *Thomas Rodd.*

1832:		£.	s.	d.
August 21	Montfaucon's Bibliotheca, MSS.	2	2	–
	Watson's English Martyrology	–	15	–
	Catalogue des MSS. de Geneve	–	4	6
	Dibdin's Tour, 3 vols.	2	–	–
	Gerbesti Itinerarmiu	–	5	6
	Butler's Lives of the Saints, 12 vols.	4	10	–
	Struvii et Menselii Bibliotheca, 12 vols.	4	4	–
	Catalogue of Lord Guilford's MSS.	–	3	–
	Reimmani Bibliotheca	–	6	–
	Catalogue MSS. de Cambray	–	8	–
Heidelberg	Wharton's Hist. English Poetry, 4 vols.	2	8	–
Heidelberg	Dunlop's Hist. of Fiction, 3 vols.	1	4	–
Heidelberg	Ellis's Metrical Romances, 3 vols.	1	6	–
	Kollarii Analecta, 2 vols.	2	12	6
	Lambecii Comment. de Bib. Vindobon, 6 vols.	6	6	–
	Cat. MSS. Biblioth. Paulinæ	–	7	–
	Arcana Bib. Synod. Moscuæ	–	3	6
	Spizelii Biblioth. Sacra. MSS.	–	7	–
	Kohler's Anweisung	–	5	6
	Reiseri Biblioth. Augusti	–	7	6
	Schmell de Bibliothecis	–	12	–
	Schurzfleisch Biblioth. Vineriensis	–	8	–
	Bibliotheca Sebusiana	–	7	6
	Wenker de Archivis	–	10	6
	Cat. Bib. Mœno-Francfordiensis	–	10	–
	Labbei Nova Biblioth., MS.	–	7	6
	Cat. MSS. Bib. Gothana	–	10	6
	Notitia Cod. MSS. in Biblioth. Brann.	–	10	6
	Burckhard Notitia Cod. Wolfenbut.	–	14	–
	Denis Cat. MSS., 6 vols. fol.	2	16	–
	Hist. Litteraire du Conv. de St. Maur	–	18	–
	Struvii Biblioth. Collectio MSS^tor	–	5	6
	Legiponti Dissertationes	–	10	6
	Fabricii Bibliotheca Ecclesiastica	–	16	–
	Germon Arte Discernendi Diplom., 3 vols.	–	16	–
	Plan des Travaux Litteraires	–	3	–
	Montigny Dictionnaire Diplomatique	–	6	–
	Marieé Traite des Archives	–	4	–
	Figeac Notice des Chartes	–	1	6
	Stocker Vocabulaire Latin Diplom.	–	3	–
	Weylie Glossarium Juridicum	–	8	–
	~~Loccenii Lexicon Juris S....ani~~	–	7	–
	Koccheri de Idololatria Literaria	–	5	–
	Czuittingeri Hungaria Literaria	–	7	–
	Tessier Cat. Biblioth. Catalogus	–	10	–
	Clemens' Musei	–	7	6
	Zachariæ Excursus Literaria	–	10	6
	Tomassini Bibliotheca Patavina	–	5	–
	Cat. Bib. Pub. Rotterodami	–	2	6
	Molleri Cimbria Literaria, 3 vols.	3	3	–
	Cat. Cod. MSS., Riccardiana	–	12	–
	Cat. Bib. Pub. Amst.	–	10	6
	Cat. Bib. Traject. Batavorum	–	6	–

(continued)

Appendix (E.)

Booksellers' Bills sent from the Treasury.

		£.	s.	d.
1832: August 21	Westphalen Monumenta Inedita	6	–	–
	Scriptores Rerum Hungaricarum, 3 vols.	3	3	–
	Goldasti Collectio Constitutiones, 4 vols.	2	–	–
	Heineccii Scriptores Rerum Germ.	1	8	–
	Gropp Scriptores Wirceburgensis	1	5	–
	Thesauros Hist. Helvetiæ	1	4	–
	Duellin Excerpt. Genealoz. Diplom.	1	11	6
(*return*)	Alavi de Insulis Opera	–	18	–
	Du Mont Ceremonial de l'Europe	2	5	–
	Matthæi Vet. Œvi Analecta, 16 vols.	5	15	6
	Baringii Clavis Diplomatica	1	4	–
	Heuman de Re Diplomatica, 3 vols.	1	12	–
	Heumanni Opuscula	–	18	–
	Ouvrages Posthumes de Mabillon, 3 vols.	–	18	–
	Fontanini Vind. Antiq. Diplom.	–	7	–
	~~Frehcrus de Secretis Judiciis~~	–	7	–
	~~De Nequitia Advocatorum~~		6	–
	Speculum Regale	1	4	–
	Thorkelin Diplomata Arna Mag.	1	4	–
	Sibbern Bibliotheca Historica	–	8	–
	Mabillon de Studiis Monasticis	–	5	6
	Lodovici Sachsische Weichbild	–	7	–
	Eckhart Rebus Francio Oriental	2	10	–
	Ayrman Anecdota Diplomat.	–	5	6
	Goldasti Paræneticon Vet. Script.	–	18	–
	Oudin de Script. Ecclesiastecis, 3 vols.	2	10	–
	Hist. Francicæ Scriptores	–	14	–
	Petrus Cellensis Epistolæ	–	7	6
	Index to O'Reilly's Irish Writers	–	10	6
Heidelberg	Ritson's Bibliographia Poetica	–	5	6
	Vernuldi de Prop. Fidei in Belg.	1	1	–
	Cancellaria Hispanica	–	7	–
	Bronweri Hist. Fuldensis	–	5	6
	Cat. Bib. Lugd. Battavo	–	2	6
	~~Edinburgh Review~~		6	–
	Saggittarii, Hist. Eccl. Thuringii	–	5	6
	Alcuini Opera, 3 vols.	3	3	–
	Episcoporum Belgicorum	1	5	–
	Godwin de Prœsulibus Angliæ	1	12	–
	Projet pour Bib. de St. Petersb.	–	9	–
	Bibliotheca Norimb. Memorib.	–	5	6
	Hergott Hist. Diplomat. Hapsburg	3	–	–
	Schannat Hist. Fuldensis	1	–	–
	Lazius de Migrationibus	–	18	–
	Gallia Christiana, 16 vols.	16	16	–
	Tollii Itineraria	–	7	6
	Canisii Lectiones, 6 vols.	3	10	–
	Cat. MSS. Bib. d'Orleans	–	5	–
	Recherches sur les Bibliothèques	–	9	–
	Cat. des Nat. Bibliothek	–	6	–
	Cat. Bib. Lugd. Bat. fol.	–	16	–
	D'Achery et Mabillon, ..., 4 vols.	5	15	6
	Bonifacii Epistolæ	–	10	–
	Bucelini Germania	1	6	–
	Langebeck Rerum Dan. Script. 7 vols.	10	10	–
	Voyage Literaire des Benedictines	–	12	–
	Montfaucon Iter Italicum	–	9	–
	Ludwig Reliquæ MS^torum 12 vols.	2	12	6
	Reuberi Rerum Germ. Scriptores	–	18	–
	Goldasti Scriptores Rerum Alamic.	–	16	–
	Meibomii Rerum Germ. Script.	1	14	–
	Menckenii German. Scriptores	3	–	–
	Leibnitz Rerum Brunsvis. Script.	3	3	–
	Le Long Bibliothèque Hist., 5 vols.	4	10	–
	Eccardi Scriptores Medii Œvi	2	2	–
	Ordonnances des Rois de France, 19 vols.	15	15	–
	Glossaire des Ordonnances, 2 vols.	–	18	–
	Mirdi Diplomat. Belg.	2	2	–
	Hoffman Rerum Lusat. Script.	1	8	–
	Joannis Tabularum Literaria	–	7	–
	Gesta Dei per Francos	2	10	–
	Martene et Durand Thesauros	4	4	–
	Georgisch Register Diplom.	2	2	–
	Leibnitz Codex Juris Gentium	1	5	–
	Pistorii Amoenitates Juridici	1	11	6
	Bouquet Historiens de Gaule	35	15	–
	Double's Hist. de St. Denis	–	16	–
	Felibien Hist. de St. Denis	1	–	–

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Appendix (E.)

Booksellers' Bills sent from the Treasury.

1832:		£.	s.	d.
August 21	Art de Verifier les Dates	7	7	–
	Duchesne Hist. Francorum Script.	5	–	–
	Chronicon Gotwicensi	1	10	–
	Brequigny Tables des Diplomes	3	3	–
	Rerum Silesiacarum Scriptores	1	11	6
	Urstesii Rerum Germ. Scriptores	–	16	–
	Rerum Bohemicarum Scriptores	–	15	–
	Lambecii Prodromus Hist. Lit.	–	15	–
	Petri de Vineis Epistolæ	–	3	6
Heidelberg	Ritson's Metrical Romances	1	6	–
	Granville's Travels, 2 vols.	1	4	–
Heidelberg	Hartshorne's Metrical Tales	–	10	–
Ditto.	Utterson's Popular Poetry, 2 vols.	–	12	–
	Bedæ Opera, 2 vols,	4	14	6
	Van de Waal Diplom. Dordon.	–	5	–
	MSS. Orient. in Bib. Lug. Bat.	–	6	–
	Gallois Biblothèques de l'Europe	–	3	–
	Monumenta Guelficæ Hist.	–	5	–
Heidelberg	Weber's Romances, 3 vols.	1	1	–
	Uffenbach's Reise, 3 vols.	1	11	6
	Hottingeri Bibliotheca Quadript.	–	9	–
	Irmischen Erlanger Bibliothek	–	9	–
	Steinbramer's Reise, 3 vols.	–	18	–
	Ebert's Handschriften Kunde, 3 vols.	–	13	–
	Ebert's Dresden Bibliothek	–	9	–
	Wilken's Heidelburgisches Beschrieb.	–	12	–
	Von der Hagen's Brief, 4 vols.	–	12	–
	Gudemi's Sylloze Diplomat.	–	7	6
	Jugleri Bibliotheca Hist., 3 vols.	1	10	–
	Mensel's Kunstler Lexicon, 3 vols.	1	10	–
	Ebert Biblioth. Guelferbeytunæ	–	6	–
	Pertz Reise	–	9	–
	Zapf's Reise	–	10	6
	Keysler's Neuste Reisen	–	12	–
Hamburg	Marquardi de Jure Mercatorum	–	12	–
	Bernouilli's Lettres, 3 vols.	–	9	–
	Senckenberg's Selecta Juris, 6 vols	1	1	–
	Senckenberg's Samlung, 3 vols.	–	9	6
	Struvii Introductio in Not. Rei. Lit.	–	9	–
	Suevia Sacra	–	9	–
	Catalogus Bibliotheca Stowensis	3	3	–
	Mabillon Annales Ord. Benedict., 6 vols.	6	6	–
	Archæologia, vol.	3	3	–
	Pantaloon Illustrium Germ.	1	10	–
	Historia Treverensis, 2 vols. fol.	1	15	–
	Cat. Bibliotheca Hohendorfiana	–	5	–
	Hist. Lit. des Pais Bas, 18 vols.	1	15	–
	£.	299	14	–
	Deduct £.	1	6	–
		298	8	–

The Record Commission, bought of *Thomas Rodd.*

1832:		£.	s.	d.
Decem. 27	Brequigny Diplomata, 3 vols.	7	17	6
	Burnet's Travels	–	5	–
	Le Bas's Life of Wicliff	–	6	–
	£.	8	8	6

The Honourable the Record Commission, bought of *Thomas Rodd.*

1832–33:		£.	s.	d.
March 12.	Transactions Antiquarian Society, Newcastle	4	8	–
	Reuberi Scriptoris Rerum Germ^m	2	8	–
	Gudenii Sylloge Diplomaturum, 5 vols	1	16	–
	Gesta Danorum extra Daniam	–	16	–
	Willebrandt's Hansiche Chronicle	–	9	–
	Schunck Codex Diplomaticus	–	7	6

(continued)

Appendix (E.)

Booksellers' Bills sent from the Treasury.

		£.	s.	d.
1832-33: March 12.	Schœpflini Alsatia Diplomatica	–	12	–
	Hearne's Gulielmus Neubrigisiensis	2	12	–
	Transactions American Ant. Society	–	16	–
	Cat. MSS. Biblioth. Medicca	–	12	–
	Memoires de Ribier	–	18	–
	Adams's Index Villaris	–	6	–
(For Mr. Murphy)	Lanigan's History of Ireland	2	12	–
(For Mr. Webster)	O'Reilly's Catalogue Irish Writers	–	10	6
	Joachim's Inleitung	–	6	–
	Cosman	–	5	6
	Orti Itinerario	–	9	–
	Eckhardi Introductio in Res Diplom.	–	7	6
March 22	Fabricii Bibliotheca	1	1	–
– 30	Vita S. Rugonis	–	9	–
	Hahn's Collection Monumenta, 2 vols.	–	9	–
	Schelhorn's Anleitung	–	10	–
	Leibnitz Accessiones Historica	–	7	6
	Leibnitz Chronicon Albericus	–	7	6
	Merkwurdigkeiten der Bib. Dresden	–	14	–
	Fischeri Scriptores Rerum Germ^{m}	–	8	–
	Bonfinii Rerum Hungaricum Script.	–	14	–
	Gerberti Codex Epist. Rudolphi	–	18	–
	Petri de Vineis Epist.	–	9	–
	La Croze, Voyage Literaire	–	5	6
	Literæ Procerum Europæ	1	5	–
	Lunig Codex Germaniæ Diplom.	1	5	–
April - 19	Oefele Scriptoris Rerum Boicarum	1	11	6
May - 14	Lye's Saxon Dictionary, 2 vols.	6	–	–
	Vallancey's Irish Grammar – for M. Warnkœnig	–	10	–
	O'Reilly's Irish Dictionary	1	4	–
June - 5	Hearnii Benedictas Abbas	2	12	6
	Hearnii Thome de Elmham	1	8	–
	Hearnii Titii Livii Forojuliensis	1	14	–
	Cat. Biblioth. Pub. Argent	–	8	–
July - 3	Trithernii Annalis	–	15	–
	Bavaria Sancta	2	8	–
	Rerum Mogunticarum Serrarii	–	7	–
	Œnei Sylvii Epistolæ	–	3	–
	Petri Abbatis Cluniacensis Opequ	–	14	–
	Torfiei Historia Norvegica	3	10	–
	Essais sur la Bibliothèque du Roi	–	4	6
	Catalogue of MSS. Cathedral of Durham	2	12	6
	Cirbied Notice d'une MSS., 4 *s.* – Guduis Cat. MSS., 8 *s.* – Casiru Cat. MSS. Bib. Escurial, 16 *s.* – Hanrott sale, with commission, 3 *s.*	1	11	–
(Mr. Hunter)	Madox's History of the Exchequer	1	18	–
August -	Irish Dictionary (for Warnkœnig)	2	10	–
October 18	Essai de Diplomatic sur le Brabant	–	5	–
	Œnei Sylvii Opera	–	10	6
	Bibliothecæ Universalis Epistolæ	–	5	–
	Eckhardi Introductio in Rem Diplom.	–	6	–
	Hoffmanni Nova Scriptorum, 2 vols.	–	10	6
	Codices MSS. Quedlenburgensis	–	8	–
	Diplomatic Ober Sachsen, 2 vols.	–	6	–
	Scipionis Marantœ Expostulatio	–	3	6
	Notice Historique sur Gunilde	–	1	–
	Belez van Ypre	–	3	–
	Petri Blesensis Opera	1	10	–
	Cat. MSS. Biblioth. Tanrimens, 3 vols.	1	–	–
– 31	Pez Thesaurus Anecdotorum, 5 vols.	5	–	–
	Scharduis Scriptores Rerum Germ^{m}	1	16	–
	Mollern's Cat. Cod. MSS. Gotharii	–	12	–
	Moreau Diplomatisch Lesbuch	–	6	–
	Bochme's Diplomatische Beytrage	–	12	–
	Tychsen de Charti Popyracev	–	2	6
	Eisenhard de Jure Diplomatica	–	4	–
	Brun's Beitrage	–	4	6
	Schoenemann Ueber der Vestim	–	2	–
	Gatterert Abress der Diplomat.	–	5	–
	Codex Epist. Rudolfi	–	4	–
	Joachim's Inleitung der Deutshen	–	4	6
	Haberlin Analecta Medii Ævi	–	7	–
	Schottelin's de Singularibus in Germ^{m}	–	4	6
	Cat. Codd. MSS. Uffenbachiana	–	4	–
Nov. - 6	Mabillon's Ach. Martyrum Benedict	9	9	–
– - 9	Johnstone's Antiquitates	–	16	–
	Sanderi Cat. Codd. MSS. Belgice	–	12	–

Appendix (E.)

Booksellers' Bills sent from the Treasury.

		£.	s.	d.
1832-33:				
Dec. 9	Adams's Index Villaris in op. Red. Mer. (Rev. Mr. Hunter)	2	2	–
	Johannis Glestoniensis Chronicon Herniæ	3	8	–
	Sprotti Chronica Hearnii	–	10	–
	Fordini Scotichronicon a Hearnii, 5 vols.	4	–	–
	Robert de Avesbery Historia Hernii	1	12	–
	Schannut Antiquit' Fuldensis	–	16	–
	Gestu Dunorum extra Dunium	–	15	–
	Bibliotheca Gothana	–	8	–
	Lumbicii Hist. Literar'	–	10	–
	Cat. Codd. MSS. Lips	–	5	–
	Veith Scriptores Augustinæ	1	10	–
	Catalogue Etie de Bordeaux	–	4	–
	Catalogue Duplikut Bib. Palretzky	–	8	–
	Difference in the value of various books exchanged and returned during the course of three years, 1832–33, as agreed upon with Mr. Smith	19	19	6
	£.	124	15	6

		£.	s.	d.
1833:				
March 18,	By cash on account	15	–	–
Sept. 25,	Ditto ditto	59	15	6
1834:				
March 19,	By cash on account	30	–	–
May 24,	Ditto ditto	20	–	–
	£.	124	15	6

The Honourable the Record Commissioners, bought of *James Bigg*; for Books supplied to Mr. Webster, &c.

		£.	s.	d.
1832:				
Aug. 6	Report on Public Records, 1800	1	–	–
	Ditto ditto 1732	–	6	–
– 17	Ditto ditto 2 vols, 1800–1819	3	3	–
– 25	Report of Commissioners on Fees in Courts of Justice, England	1	5	–
1833:				
Feb. 15	Report on Court of Exchequer, 1822	–	5	–
– 20	Ditto Ecclesiastical Courts, 2 Parts, 1832	–	15	–
	Ditto Archbishop of Canterbury's Courts	–	3	–
	Ditto Bishop of London's Courts	–	2	–
	Ditto Admiralty, Delegates, and Appeals for Prizes	–	4	–
	Return of Ecclesiastical Courts, 3d April 1828	–	1	6
	Ditto Probates of Wills, 30th May 1828	–	3	–
	Ditto Legacy Duty Office, 5th May 1829	–	1	–
	Ditto Probates of Wills, 16th April 1829	–	3	6
	Ditto Ditto ditto 5th April 1830	–	1	–
	Ditto Archdeaconry Courts, 26th March 1830	–	2	–
	Ditto Parish Registers, 26th March 1831	–	2	–
	Ditto Intestate's Estates, 30th March 1833	–	2	–
Nov. 8	Report on Reduction of Salaries, 1831	–	3	–
Dec. 3	Various Parliamentary Papers, and for reading Mirror of Parliament, 10 vols.	1	–	6
	£.	9	2	6

The Honourable the Record Commissioners, bought of *John Cochran*, 108, Strand.

		£.	s.	d.
1833:				
Novem. 20.	Dugdale's Monasticon, Sm. P. 54 Parts, complete (No. 156) For the use of Dr. Lappenberg of Hamburgh.	3	6	15 –

Appendix, (F.)

— No. 1. —

Appendix (F.)

No. 1.
Days of Meetings of Boards and Committees.

EXTRACTS FROM MINUTE BOOKS OF THE COMMISSION.

DAYS of the MEETINGS of BOARDS and COMMITTEES of His Majesty's COMMISSIONERS on the PUBLIC RECORDS, from March 1831 to December 1835, with the Names of the Commissioners present.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Lord Chancellor's private room, Lincoln's Inn, on the 26th of March 1831.

Present, the Right Hon. the Lord Chancellor; the Right Hon. Charles Manners Sutton, Speaker of the House of Commons; the Right Hon. the Master of the Rolls; the Right Hon. William Dundas, Lord Chief Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Charles Watkin Williams Wynn; the Right Hon. Sir James Mackintosh; the Right Hon. George Agar Ellis; Sir Robert Harry Inglis, knight; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; William Brougham, esq.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Lord Chancellor's private room, Westminster Hall, on the 26th April 1831.

Present, the Right Hon. the Lord Chancellor; the Right Hon. the Master of the Rolls; the Right Hon. George Agar Ellis; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart.; Henry Bellenden Ker, esq.; John Allen, esq.; Edward Vernon Utterson, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, in the Lord Chancellor's private room, Westminster Hall, the 26th of April 1831.

Present, the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Roll's House, Chancery-lane, on the 4th of May 1831.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Master of the Rolls; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. George Agar Ellis; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart.; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; Edward Vernon Utterson, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Rolls House, Chancery-lane, the 4th of May 1831.

Present, the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Lord Chancellor's private room, Westminster Hall, on the 20th of May 1831.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Lord Chancellor; the Right Hon. Charles Manners Sutton, M.P.; the Right Hon. the Master of the Rolls; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Charles Watkin Williams Wynn, M.P.; the Right Hon. George Agar Ellis, M.P.; the Hon. Mr. Justice Parke; Sir Robert Harry Inglis, bart.; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edw. Protheroe, esq., M.P.; William Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Chapter House, the 25th of May 1831.

Present, the Right Hon. Charles Manners Sutton, M.P.; the Right Hon. Charles Watkin Williams Wynn, M.P.; Edward Protheroe, esq., M.P.

COMMITTEE

COMMITTEE of His Majesty's Commissioners on the Public Records, at Mr. Petit's Chambers in Lincoln's Inn, the 20th of May 1831.

Present, Louis Hayes Petit, esq., M. P.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Chapter House, the 1st of June 1831.

Present, the Right Hon. Charles Watkin Williams Wynn, M.P.; Sir R. H. Inglis, bart., M.P.; Henry Hallam, esq.; John Allen, esq.; Edward Vernon Utterson, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Tower of London, June 9th, 1831.

Present, the Right Hon. Charles Watkin Williams Wynn, M.P.; the Right Hon. Sir James Mackintosh, M.P.; Sir Robert Harry Inglis, bart., M.P.; Henry Hallam, esq.; John Allen, esq.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Lord Chancellor's private room, Westminster Hall, on Friday, June the 10th, 1831.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Lord Chancellor; the Right Hon. the Master of the Rolls; the Right Hon. Charles Manners Sutton, M.P.; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; the Right Hon. Sir James Mackintosh, M.P.; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq., M.P.; Edward Protheroe, esq., M.P.; Henry Bellenden Ker, esq.; William Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Rolls Chapel, June 17th, 1831.

Present, the Right Hon. Sir James Mackintosh, M.P.; the Right Hon. C. W. W. Wynn, M.P.; Sir Robert Harry Inglis, bart., M.P.; Henry Hallam, esq.; John Allen, esq.

BOARD of the Commissioners appointed by his Majesty on the Public Records of the Kingdom, at the Earl Marshal's room, at the House of Lords, on Monday, June the 27th, 1831.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; the Right Hon. Sir James Mackintosh, M.P.; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq., M.P.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; John Allen, esq.; William Brougham, esq., M.P.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Earl Marshal's room, at the House of Lords, on Monday, August the 22d, 1831.

Present, The Right Hon. the Lord Chancellor; the Right Rev. the Bishop of Llandaff; the Right Hon. Lord Dover; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq., M.P.; John Allen, Esq.; Edward Protheroe, esq., M.P.; Henry Bellenden Ker, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private room, Westminster, on Thursday, November 17th, 1831.

Present, the Right Hon. the Master of the Rolls; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; W. Brougham, esq., M.P.; H. B. Ker, esq.; E. V. Utterson, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private rooms at Westminster Hall, on Monday the 28th of November 1831.

Present, the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart., M.P.; John Allen, esq.; William Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private room, Westminster Hall, on Wednesday the 30th of November 1831.

Present, Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private room, Westminster Hall, on Thursday the 8th of December 1831.

Present, the Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart,, M.P.; William Brougham, esq., M.P.; John Allen, esq.

Appendix (F.)

No. 1.
Days of Meetings of Boards and Committees.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private room, Westminster Hall, on Wednesday, December the 14th, 1831.

Present, the Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; William Brougham, esq., M.P.; Louis Hayes Petit, esq., M.P.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, in the Lord Chancellor's private room, Westminster, on Wednesday the 21st of December 1831.

Present, the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, Esq., M.P.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Rolls House, Chancery Lane, on Saturday 11th of February 1832.

Present, the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland, the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Lord Dover; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq., M.P.; Henry Bellenden Ker, esq.; William Brougham, esq., M.P.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the Lord Chancellor's private room, Westminster Hall, on Saturday the 16th day of June 1832.

Present, the Right Hon. the Lord Chancellor; the Right Hon. the Speaker of the House of Commons; the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; the Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P. L. H. Petit, esq., M.P.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen, esq.; William Brougham, esq., M.P.

BOARD of His Majesty's Commissioners on the Public Records, at the Rolls House, Chancery Lane, the 23d day of June 1832.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; the Hon. Mr. Justice Parke; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq., M.P.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen esq.; E. V. Utterson, esq.

BOARD of his Majesty's Commissioners on the Public Records of the Kingdom, at the Rolls House, Chancery Lane, on Saturday the 30th of June 1832.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq. M.P.; Henry Hallam, esq.; John Allen, esq.; E. V. Utterson, esq.; W. Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker of the House of Commons, Westminster, on Tuesday the 10th day of July 1832.

Present, the Right Hon. the Speaker of the House of Commons; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, at Westminster, on Tuesday the 17th day of July 1832.

Present, Sir R. H. Inglis, bart., M.P.; Henry Hallam, esq.; William Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's Room, Westminster, on Wednesday the 18th of July 1832.

Present, Sir R. H. Inglis, bart., M.P.; Henry Hallam, esq.; William Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, at Westminster, on Friday the 20th of July 1832.

Present, Sir R. H. Inglis, bart., M.P.; Henry Hallam, esq.; William Brougham, esq., M.P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, Westminster, on Monday the 23d day of July 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Tower, on Monday the 30th of July 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, Esq.; William Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Tower, on Saturday the 4th day of August 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; William Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, at Westminster, on Monday the 6th day of August 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; William Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, at Westminster, on Tuesday the 7th of August 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; William Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, at Westminster, on Wednesday the 8th of August 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; William Brougham, esq., M. P.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Rolls House, Chancery-lane, on Thursday the 9th day of August 1832.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. C. W. W. Wynn, M. P.; Sir Robert Harry Inglis, bart., M. P.; Louis Hayes Petit, esq., M. P.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Rolls House, Chancery-lane, on Thursday the 9th day of August 1832.

Present, Sir Robert Harry Inglis, bart., M. P.; Henry Hallam, esq.; William Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Tower, on Monday the 21st day of August 1832.

Present, Henry Hallam, esq.; William Brougham, esq., M. P.

BOARD of the Commissioners appointed by His Majesty on the Public Records of the Kingdom, at the Lord Chancellor's private room, Westminster, on Monday the 19th day of November 1832.

Present, the Right Hon. the Lord Chancellor; the Right Hon. the Speaker of the House of Commons; the Right Hon. Viscount Althorp, Chancellor of the Exchequer; the Right Hon. the Master of the Rolls; Henry Bellenden Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Vernon Utterson, esq.; William Brougham, esq., M. P.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Monday the 26th day of November 1832.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. the Master of the Rolls; L. H. Petit, esq., M. P.; Henry Hallam, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the house of the Right Hon. the Speaker of the House of Commons, on Saturday the 1st of December 1832.

Present, the Right Hon. the Speaker of the House of Commons; the Hon. Mr. Justice Parke; Sir R. H. Inglis, bart., M.P.; Henry Hallam, esq.; John Allen, esq.; L. H. Petit, esq.; William Brougham, esq., M. P.

COMMITTEE

Appendix (F.)

No. 1.
Days of Meetings of Boards and Committees.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of Sir R. H. Inglis, bart., M. P.; No. 11, Manchester-buildings, Westminster, on Saturday the 1st of December 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; W. Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of William Brougham, esq., M. P., No. 66, Mount-street, Grosvenor-square, the day of December 1832.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; W. Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, meeting at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Tuesday the 18th day of December 1832.

Present, the Right Hon. the Speaker; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; H. B. Ker, esq.; John Allen, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private room in the House of Lords, on Tuesday, January the 22d, 1833.

Present, the Right Hon. the Master of the Rolls; the Right Hon. Henry Hobhouse; the Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart, M. P.; L. H. Petit, esq.; H. B. Ker, esq.; H. Hallam, esq.; J. Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of Sir R. H. Inglis, bart., M. P., No. 11, Manchester-buildings, Westminster, on Thursday the 24th January 1833.

Present, Sir R. H. Inglis, bart., M. P.; Henry Hallam, esq.; W. Brougham, esq., M. P.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of Sir R. H. Inglis, bart., M. P., No. 11, Manchester-buildings, Westminster, on Monday, January the 28th, 1833.

Present, Sir R. H. Inglis, bart.. M. P.; Henry Hallam, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the Roll's House, Chancery-lane, on Monday, February the 11th, 1833.

Present, the Right Hon. the Master of the Rolls; the Right Rev. the Lord Bishop of Llandaff; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 2d of March 1833.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Speaker of the House of Commons; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; Sir R. H. Inglis, bart. M.P.; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; John Allen, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 9th day of March 1833.

Present, the Right Hon. the Lord Chancellor; the Right Hon. the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Charles Watkin Williams Wynn, M.P.; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.; William Brougham, esq., M.P.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 30th of March 1833.

Present, His Grace the Archbishop of Canterbury; the Right Hon the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Hon. Charles Watkin Williams Wynn, M.P.; the Right Hon. Lord Dover; Sir Robert Harry Inglis, bart, M.P.; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.; Edward Vernon Utterson, esq.

COMMITTEE

COMMITTEE of His Majesty's Commissioners on the Public Records, held at the house of Sir R. H. Inglis, bart, M.P., No. 11, Manchester-buildings, Westminster, on Monday the 22d of April 1833.

Present, Sir Robert Harry Inglis, bart., M.P.; Henry Hallam, esq.; William Brougham, esq., M.P.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 27th of April 1833.

Present, His Grace the Archbishop of Canterbury; the Right Hon. the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Hon. Charles Watkin Williams Wynn, M.P.; Sir Robert Harry Inglis, bart., M.P.: Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; Edward Protheroe, esq.; Edward Vernon Utterson, esq.; William Brougham, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of Sir R. H. Inglis, bart., M.P., No. 11, Manchester-buildings, Westminster, on Saturday the 27th of April 1833.

Present, Sir Robert Harry Inglis, bart. M.P.; Henry Hallam, Esq.; William Brougham, esq., M.P.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 1st of June, 1833.

Present, the Right Hon. the Speaker of the House of Commons; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Henry Hobhouse; the Hon. Mr. Justice Bosanquet; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker of the House of Commons, New Palace-yard, Westminster, on Saturday the 1st of June 1833.

Present, the Right Hon. the Speaker of the House of Commons; the Hon. Mr. Justice Bosanquet; Louis Hayes Petit, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room, at the House of Lords, on Friday the 7th of June 1833.

Present, Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room, in the House of Lords, on Friday, the 21st of June 1833.

Present, Louis Hayes Petit, esq.; Henry Hallam, Esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of the Honourable the Speaker, New Palace-yard, Westminster, on Saturday the 22d of June 1833.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. Charles Watkin Williams Wynn, M.P.; the Hon. Mr. Justice Bosanquet; Louis Hayes Petit, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 22d of June 1833.

Present, the Right Hon. the Speaker of the House of Commons; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Charles Watkin Williams Wynn, M.P.; the Hon. Mr. Justice Parke; the Hon. Mr. Justice Bosanquet; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq.; Henry Bellenden Ker, esq.; Henry Hallam, esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of Henry Hallam, esq., No. 67, Upper Wimpole-street, on Thursday, July 4th, 1833.

Present, Henry Hallam, esq.; John Allen, Esq.; Edward Protheroe, esq.—Mr. George Smith attended, and produced the accounts.

COMMITTEE of His Majesty's Commissioners on the Public Records, at No. 7, New Boswell-court, Lincoln's Inn, on Saturday, July 6th, 1833.

Present, Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

Appendix (F.)

No. 1.
Days of Meetings of Boards and Committees.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace Yard, Westminster, on Saturday the 3d of August 1833.

Present, the Right Hon. the Speaker of the House of Commons; Sir Robert Harry Inglis, bart., M.P.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's room, House of Lords, Tuesday, the 12th of November 1833.

Present, John Allen, esq.; Edward Protheroe, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the Lord Chancellor's private room, Westminster, on Saturday the 23d of November 1833.

Present, the Right Hon. the Lord Chancellor; the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland; Sir Robert Harry Inglis, bart., M.P.; John Allen, esq.; Henry Bellenden Ker, esq.; Edward Protheroe, esq.: Edward Vernon Utterson, esq.; William Brougham, esq., M.P.

BOARD of His Majesty's Commissioners on the Public Records, at the private room of His Honor the Master of the Rolls, Westminster, on Saturday the 25th of January 1834.

Present, the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday, February the 8th, 1834.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. the Master of the Rolls; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday, February the 8th, 1834.

Present, the Right Hon. the Speaker of the House of Commons; L. H. Petit, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the Earl Marshal's room in the House of Lords, on Thursday the 13th day of February 1834.

Present, the Right Hon. the Lord Clerk Register of Scotland; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

BOARD of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday, March the 22d, 1834.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Charles Watkin Williams Wynn, M.P.; Sir Robert Harry Inglis, bart., M.P.; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday, March the 22d, 1834.

Present, the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; Sir R. H. Inglis, bart., M.P.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, at the Earl Marshal's room at the House of Lords, on Monday the 7th day of April 1834.

Present, the Right Hon. the Lord Clerk Register of Scotland; Louis Hayes Petit, esq.; Henry Hallam, esq.

CONSOLIDATED COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, at the Earl Marshal's room, House of Lords, on Thursday the 8th day of May 1834.

Present, the Right Hon. C. W. W. Wynn, M.P.; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

CONSOLIDATED COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, at the Earl Marshal's room, House of Lords, on Monday the 12th of May 1834.

Present, the Right Hon. C. W. W. Wynn, M.P.; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the house of the Right Hon. the Speaker, New Palace-yard, Westminster, on Saturday the 17th of May 1834.

Present, the Right Hon. the Speaker of the House of Commons; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; the Right Hon. Henry Hobhouse; the Right Hon. Mr. Baron Parke; the Right Hon. Mr. Justice Bosanquet; Louis Hayes Petit, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.; Edward Vernon Utterson, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, held at No. 7, New Boswell-court, Lincoln's-inn, on the 24th day of June 1834.

Present Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, at the Earl Marshal's room, in the House of Lords, on Wednesday, 16th July 1834.

Present, L. H. Petit, esq; William Brougham, esq. M.P.

BOARD of His Majesty's Commissioners on the Public Records, at the Lord Chancellor's private room, in the House of Lords, on Thursday the 14th day of August 1834, at Three o'clock.

Present, the Right Hon. the Lord Chancellor; William Brougham, esq. M.P.; Louis Hayes Petit, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, His Majesty's State Paper Office, Duke-street, Westminster, on Saturday, January the 17th, 1835, at Three o'clock.

Present, his Grace the Archbishop of Canterbury; the Right Hon. the Speaker of the House of Commons; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. Mr. Baron Parke; the Right Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, held at His Majesty's State Paper Office, Duke-street, Westminster, on Monday, January 19th, 1835.

Present, the Right Hon. Sir Charles Manners Sutton, G.C.B.; the Right Rev. the Lord Bishop of Llandaff; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, at His Majesty's State Paper Office, Duke-street, Westminster, on Tuesday, January 27th, 1835, at 10 o'clock.

Present, the Right Rev. the Lord Bishop of Llandaff; Sir R. H. Inglis, bart. M.P.; L. H. Petit, esq.; Henry Hallam, esq.; John Allen, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at His Majesty's State Paper Office, Duke-street, Westminster, on Saturday, February 14th, 1835.

Present, the Right Hon. Sir Charles Manners Sutton, G.C.B.; the Right Hon. the Lord Clerk Register of Scotland; the Right Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; Henry Hallam, esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records of the Kingdom, (Augmentation-Office and Tower of London meeting held), Thursday, February 19th, 1835.

Present, Mr. Petit and Mr. Hallam.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the House of the Right Hon. the Speaker, No. 7, Carlton Gardens, on Saturday, April 11th, 1835, at One o'clock.

Present, the Right Hon. Lord Brougham; the Right Hon. the Speaker of the House of Commons; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

Appendix (F.)

No. 1.
Days of Meetings of Boards and Committees.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the house of the Right Hon. the Speaker, No. 7, Carlton-gardens, on Saturday, May 23d, 1835, at Three o'clock.

Present, the Right Hon. Lord Brougham; the Right Hon. the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Hon. C. W. W. Wynn, M.P.; the Right Hon. Henry Hobhouse; the Right Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the house of the Right Hon. the Speaker, No. 7, Carlton-gardens, on Saturday, 1st August 1835, at Three o'clock.

Present, the Right Hon. the Speaker of the House of Commons; the Right Hon. the Lord Clerk Register of Scotland; the Right Rev. the Lord Bishop of Llandaff; the Right Hon. C. W. W. Wynn, M.P.; the Right Hon. Henry Hobhouse; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; H. B. Ker, esq.; Henry Hallam, esq.; Edward Protheroe, esq.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the Library of the Right Hon. the Speaker, in the House of Commons, on Thursday, the 6th August 1835.

Present, the Right Hon. Lord Brougham; the Right Hon. the Speaker; the Right Rev. the Lord Bishop of Llandaff; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; John Allen, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at No. 7, New Boswell-court, on Tuesday, the 4th day of August 1835.

Present, Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at His Majesty's State Paper Office, on Wednesday the 4th day of November 1835.

Present, Sir Robert Harry Inglis, bart., M.P.; L. H. Petit, esq.; Edward Protheroe, esq. The Right Hon. Henry Hobhouse, although not a Member of the Committee, was also present.

BOARD of His Majesty's Commissioners on the Public Records of the Kingdom, at the house of the Right Hon. the Chancellor of the Exchequer, in Downing-street, on Friday, 18th December 1835, at One o'clock.

Present, His Grace the Archbishop of Canterbury; the Right Hon. Lord Brougham; the Right Hon. the Secretary of State for the Home Department; the Right Hon. the Chancellor of the Exchequer; the Right Hon. Mr. Justice Bosanquet; Sir R. H. Inglis, bart., M.P.; L. H. Petit, esq.; H. B. Ker, esq.; Henry Hallam, esq.; John Allen, esq.; Edward Protheroe, esq.; E. V. Utterson, esq.; William Brougham, esq.

COMMITTEE of His Majesty's Commissioners on the Public Records, at the chambers of Mr. Petit, Lincoln's Inn, on Monday the 21st day of December 1835.

Present, L. H. Petit, esq.; Henry Hallam, esq.; John Allen, esq. Mr. Cole and Mr. Hardy attended the Committee. Mr. Chadwick was also permitted to attend the Committee on Mr. Cole's behalf.

COMMITTEE of His Majesty's Commissioners on the Public Records, State of the Finances, and Accounts, at the Chancellor of the Exchequer's house, Downing-street, on Tuesday the 22d day of December 1835.

Present, the Right Hon. the Chancellor of the Exchequer; William Brougham, esq.

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No. 2.
Proceedings of the Board relative to Printing, &c.

— No. 2. —

COPIES extracted from the MINUTES of the PROCEEDINGS of the RECORD BOARD, of all ORDERS relative to Printing, Transcribing and Publishing Works, with the dates when such Orders were made.

Board, 26 April 1831.

Valor Ecclesiasticus, Henry 8:
Ordered, That the Index to the Valor Ecclesiasticus be completed and printed with as little delay as possible.

Rolls of Parliament, &c.:
Ordered, That this work be continued.
Ordered, That the secretary do procure proper estimates of the yearly or other expense of continuing the two last-mentioned works, and of the time required for their completion.

Rymer's Fœdera:
Ordered, That all measures for the continuation of Rymer's Fœdera be suspended.

Chancery Proceedings, temp. Elizabeth:
Ordered, That all measures for the continuation of the Calendar to Chancery Proceedings in the reign of Queen Elizabeth be for the present suspended.

Index Records, Duchy Lancaster:
Ordered, That all measures for the continuation of the Index to the Records of the Duchy of Lancaster be for the present suspended.

Materials for the History of Britain:
Ordered, That this work be continued, but that Mr. Petrie do confer with Mr. Petit and Mr. Allen upon the contents of the different volumes before they are sent to press.

Board, 20 May 1831.

Ordered, That the secretary do cause the Observations of Mr. Illingworth on the Public Records to be printed for the use of the Commissioners.

Ordered, That the secretary do procure from Mr. Thomson an estimate of the time and yearly or other expense requisite for completing the compilation and printing of the Abridgment of the Register of Seisins, distinguishing the particular charges for compiling, editing, correcting the press, printing and paper; and also an estimate of the time and yearly or other expense requisite for completing the compilation and transcription of the Abridgment of the Register of the Great Seal, and of recopying and printing the same, and for completing the transcription of the Ancient Charters, and the printing of the same. And that the secretary do desire Mr. Thomson to furnish the Board with a detailed statement of his reasons for recommending the termination of the Abridgment of the Register of the Great Seal in the form hitherto followed in the reign of James the Sixth. And also with an estimate of the time and yearly or other expense necessary for completing the Parliamentary Records of Scotland, distinguishing the expense of completing the first volume; and also the expense of cancelling and reprinting the Records of the Parliament of Charles the First; and also the expense of compiling and printing the General Index of Matters. And the secretary is also to desire Mr. Thomson to furnish the Board with his opinion as to the subdivision of the Index into periods, and the reason of his opinion in detail.

Board, 27 June 1831.

The secretary read to the Board a letter from the Hon. J. Stewart, one of the secretaries to the Treasury, dated the 18th June 1831.

The secretary stated that upon the receipt of such letter from Mr. Stewart, the bills for printing in England alone exceeding 8,000*l.*, the whole of which are unprovided for, he had thought it his duty to direct that all printing should be suspended until the Commissioners should have an opportunity of taking the subject into consideration.

Board, 22 August 1831.

The secretary stated that, with the approbation of the Lord Chancellor, he had commenced a compilation, drawn from the published works of the Commissioners, the various Reports of the Houses of Parliament, beginning with the Report from the Lords' Committees in 1719, the Minute Books, and a considerable manuscript collection in his hands, the design of which was to show in a short space the nature and particulars of the different works printed or transcribed under the direction of the Commissioners, as well as to give some details respecting the principal kinds of records, their use, repositories, &c., and that he

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he proposed to print such compilation in an 8vo. form, as cheaper and more convenient for use than the folio form hitherto adopted in the Reports, &c. of the Commissioners. The secretary stated he conceived that such work, with a short supplemental volume, would supersede the necessity of any general report such as the Commissioners had formerly been in the habit of making, and the printing of which has cost several thousand pounds.

Ordered, That the secretary be at liberty to continue and complete such compilation, and to cause the same to be printed.

Produced, A letter from Mr. Lemon, dated the 30th of July 1831.

The secretary stated that, after consulting the Lord Chancellor and some other Commissioners, he had given directions for resuming and completing the printing of the last volume of the Valor Ecclesiasticus, mentioned in such letter, in pursuance of a former Order of the Board.

Produced, A letter from Mr. Petrie, dated the 22d of July 1831; and also another letter from Mr. Peterie, dated the 27th of July 1831.

The secretary stated that, after consulting with the Lord Chancellor and some other Commissioners, he had directed that the printing of the materials for the History of England should be resumed.

The secretary stated that the printing of all the other works including those commenced in Scotland, still remained suspended, in pursuance of the directions of the Board.

The secretary laid before the Board a letter from Mr. Palgrave, dated the 20th of August 1831.

Ordered, That the essay mentioned in such letter be printed for the use of the Commissioners.

Board, 17 November 1831.

Produced, A volume containing further extracts from the ancient Placita, in the Chapter House, made by Mr. Devon, and also a letter from Mr. Devon, dated the 1st of November 1831. The secretary stated that in pursuance of the recommendation of a Committee of the Commissioners he had not only given directions for having the ancient Placita repaired, but also for having the same transcribed with a view to printing at some future period.

Valor Ecclesiasticus.

The secretary stated that, in pursuance of an order of the Board, he had given orders for printing the general indexes to the five volumes of the Valor Ecclesiasticus; but in consequence of a statement that those indexes would be of little or no use, and which statement, upon investigation, he had every reason to believe to be correct, he had countermanded such orders. The completion and printing of such indexes would, according to the estimate, cost at least 1,000 *l.*

Produced, Two letters from Mr. Bayley respecting the early chancery proceedings, dated the 30th of August 1831 and 15th November 1831.

Ordered, Upon a statement made by the secretary, that the third volume of the Chancery Proceedings temp. Elizabeth be forthwith completed, and that a selection of the Chancery Proceedings prior to the reign of Elizabeth, not already printed in the prefaces to the two first volumes of Chancery Proceedings temp. Elizabeth, be transcribed, translated, and got ready for the press.

Board, 11 February 1832.

The secretary stated that he had given directions to Mr. Devon to commence the transcription of the early Placita, as stated at the last Board, and also the early Fines and a duplicate of a Pipe Roll of the reign of John, preserved at the Chapter House, and that it was his intention to have the latter printed as soon as the transcript should be completed.

Note.—This Pipe Roll and the Roll of Stephen are intended as specimens.

The secretary stated that he had made arrangements with Mr. Hardy, one of the clerks at the Tower, for commencing the printing of the Close Rolls; that it was proposed that 500 copies should be printed in the form of a small folio.

Board, 23 June 1832.

Valor Ecclesiasticus:

It was finally resolved that the Sixth volume of this work should be completed at the press.

Records of the Duchy Court of Lancaster.

Ordered, That the third volume of this work be completed at the press.

Chancery Proceedings temp. Elizabeth:

The third volume was produced, and it was Ordered that the New Commission should be prefixed to it, and the volume published in the usual way.

Materials for the History of England:

Produced, Mr. Petrie's annual report and estimate.

Ordered, That the secretary do order the King's printer to commence the printing of the Welsh Laws, whenever Mr. Petrie shall think it expedient.

Produced,

Produced, A letter from Mr. Ellis, relative to the reprint of the Introduction to Domesday Book.

Ordered, That the secretary do desire Mr. Ellis also to prepare a list of all the possessors of lands named in Domesday, who were also possessors in the time of Edward the Confessor.

Produced, Three letters from Mr. Charles Devon, of the Chapter House, relative to transcripts making by him in that repository.

Board, 30 June 1832.

Nonæ Rolls, lately discovered. Survey of the Duchy of Cornwall upon the grant to Edward the Black Prince. Mr. Vanderzee to proceed in the transcription of these records.

Parliamentary Writs, vol. 2, div. 3:

Ordered, That the printing of this division be completed.

The Acts of the Parliaments of Scotland:

Ordered, That the compilation and printing of the first and last volumes of this work be resumed.

Board, 9 August 1832.

Parliamentary Writs. The Speaker proposed amongst other things, that Mr. Palgrave be instructed to make collections to complete his transcripts for the reign of Edward III. on the plan which he has hitherto pursued, but that this restriction to the reign of Edward III. shall not prevent Mr. P. from making transcripts for the period antecedent to the reign of Edward I., which tend to illustrate the early history of our parliamentary and other remedial courts.

The Board passed a resolution to the above effect.

Board, 1 December 1832.

Foreign State Papers, Tower of London:

Ordered, That Sir Francis Palgrave be authorized to make search amongst all the miscellaneous documents and records in the Record Office at the Tower, for all letters and correspondence to and from foreign powers, and other documents connected with the foreign relations of the country, and that Sir F. Palgrave and the secretary do appoint some proper person to make the transcripts of such as they shall select as fit to be transcribed, and that the secretary do write to Mr. Petrie and send him a copy of this order, and do request him to give every facility for the making of the above searches and transcripts.

Board, 22 January 1833.

Pipe Rolls at the Tower:

Proposal to transcribe and print two Pipe Rolls at the Tower. No order made, the secretary having omitted to call the attention of the Board to this number of the notes of business.

Board, 11 February 1833.

Pipe Rolls:

Ordered, That the two Pipe or Chancellor's Rolls at the Tower, 6 Rich. 1, & 7 John, be transcribed and printed as suggested in the notes of business for the last Board, No. XII. p. 60, and that the secretary do take the necessary steps for that purpose.

Calendar to the whole of the Rolls of the reign of King John, now remaining at the Tower:

Ordered, That the secretary do write to Mr. Petrie and request that a transcript of this Calendar be furnished for the use of the Board.

Report of the Committee appointed to inquire into the circumstances connected with Mr. Bayley's Publication of the Calendars in Chancery, and his charges for the same:

Ordered, That the Report and evidence be printed, 25 copies only, and for the private use of the Board.

Board, 2 March 1833.

Resolved, Reference being had to some recent orders of the Board, that Sir Francis Palgrave be appointed Sub-commissioner for the formation and publication of Calendars of the miscellaneous unsorted and uncalendered records at the Tower.

The form of the order to be fixed at the next Board.

Board, 9 March 1833.

New edition of the General Introduction to Domesday Book, &c., by Sir Henry Ellis, 2 vols. 8vo.

Publication of this work ordered.

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Board, 30 March 1833.

Survey of the principal Repositories of Public Records:

Sir Robert Inglis laid before the Board the Report prepared by himself and Mr. Hallam, which was ordered to be printed for the use of the Commissioners.

Ancient Surveys, Terriers, and Extents of Lands, Registers of Services, volumes supplementary to Domesday:

Produced, The notes drawn up by Sir Henry Ellis, and printed in the notes of business.

Ordered, That Sir Henry Ellis be authorized to prepare for the press, a volume of the Surveys, &c. specified in his notes; but this is not to preclude the insertion in the volume of any other similar surveys, and that Sir Henry Ellis do from time to time communicate with Mr. Wynn upon that portion of his work which relates to Wales.

Inquisitiones *post mortem* Calendar of Heirs:

Produced, The Specimens printed in the notes of business.

Ordered, That Mr. Roberts be authorized to commence the compilation of a Genealogical Calendar of the Inquisitions *post mortem*, as is suggested, such calendar to be so framed that the manuscript be in itself a perfect calendar, although such part of it is only to be printed as will supply the defects in the published volumes.

Ordered, That Mr. Roberts do also frame a General Calendar of the Inquisitions *post mortem* recently discovered, upon the plan recommended by Sir F. Palgrave, with such alterations and additions (if any) as may hereafter appear advisable.

Survey of the Duchy of Cornwall made upon the grant to Edward the Black Prince.

Statement of the reasons for countermanding the order for transcribing this Record.—*See* the Notes of Business.

Board, 27 April 1833.

The Sixth Volume of the Valor Ecclesiasticus:

Ordered, That all the volumes of the Valor be collated with the original Record, and a Table of Corrigenda be printed with the sixth volume, and that the task of collating be entrusted to the Rev. S. Hunter, the secretary, stating that that gentleman was about to come to London, with the view of taking permanent employment under the Board.

The Yelverton Manuscripts:

Ordered, That the secretary do apply to the Right honourable Lord Calthorpe, that an account of the contents of these Manuscripts may be taken for the use of the Board.

The Manuscripts at Holkham:

Ordered, That the secretary do apply to Mr. Coke, that the Board may be allowed to have a copy made of the Catalogue of these Manuscripts.

State Papers at Hatfield House:

Ordered, That the secretary do apply to the Marquis of Salisbury, that the Board may be permitted to have a Catalogue of the Papers made for their use; also to have the Compendium Recordorum, by Agarde, collated with Powell's printed volume.

Board, 1 June 1833.

Acts of the Privy Council:

Produced, The remarks on the Acts of the Privy Council printed in the Notes of Business. The secretary stating that he had instructed the King's printer to put into type a specimen of the earliest of these documents.

Ordered, That Sir Harris Nicolas be authorized to proceed with the printing of this work, under the direction of the Board.

Board, 22 June 1833.

Transcription and Publication of the early great Rolls of the Pipe:

Proposal, by Sir Thomas Phillips, bart., who has undertaken to collate the printed sheets with the original Records, that a smaller type should be adopted on the ground of a considerable saving of expense.

Produced, Specimens of each species of type; also

Produced, A letter from Mr. Macdonald of the King's printer's office, dated June 1833.

Ordered, That the series of Rolls of the Pipe be printed in the same type and in the same form as the Roll commonly called the Roll of St. Stephen, editing by Mr. Foxton, and the Chancellor's Roll of John, edited by Mr. Charles Devon.

The Inquisitiones *post mortem*—Calendar of Heirs:

Produced, The statement on this subject, printed in the Agenda; also

Produced, A letter from Mr. Charles Roberts, dated the 11th day of June, 1833.

Ordered, That Mr. Roberts be directed to proceed in the formation of this Calendar upon the plan originally suggested by him; but this matter is to be again brought before the Board, should Mr. Protheroe desire it.

Board, 3 August 1833.

The First Volume of the Close Rolls. The Chancellor's Roll:

Ordered, That these volumes, when completed at the press, be published.

The

The Sixth Volume of the Valor Ecclesiasticus:

It being stated that it would take Mr. Hunter 12 months to re-collate the whole of the Valor—

Ordered, That this volume be published, the General Introduction and General Map being prefixed, should they appear necessary.

Ancient Fines at the Chapter House:

The whole of those for the reigns of Richard I. and John, having been transcribed, the printing is to proceed, but so as not to interfere with other works.

The new edition of the Fœdera, the collations, researches, &c. suggested in the Agenda, page 452, to be commenced under the direction of the secretary.

The Liber de Antiquis Legibus; Rolls of the Curia Regis and Registrum Brevium:

Produced, A letter from Sir F. Palgrave, an extract from which is printed in the Agenda.

Such one of these Manuscripts to be put in the hands of the printer, as Sir F. Palgrave and the secretary shall upon further consideration select.

Board, 23 November, 1833.

The Pipe Roll of Stephen, and Sir F. Palgrave's Essay on the Origin of Equitable Jurisdiction. These works being finished at the press:

Ordered, That the same be published.

Board, 8 February 1834.

The Docquets of Patents of Charles I. whilst at Oxford:

Ordered, That the transcript of this manuscript be sent to the printer.

Board, 22 March 1834.

Privy Council Books, two volumes being finished at press:

Ordered, That the same be published.

Board, 17 May 1834.

Extracts from the Fine Rolls, to facilitate the compilation of the Calendarium Genealogicum. Read Mr. Charles Roberts' letter:

Ordered, That Mr. Roberts be authorized to print these Extracts in an octavo volume.

Earliest Patent and other Rolls preserved at the Tower:

Ordered, upon the statement of the Secretary, That the earliest of each series of Rolls, as the Patent, the Almain, the Roman, the Norman, the Gascon, the Fine, be sent to the press, and that the calendaring of such (if any) portion of the Rolls so to be printed as may be now in progress, be suspended; the advance of the printing to be regulated by the amount of the funds that may be placed at the disposal of the Board, and the expense of the other necessary operations now carrying on.

General Report to His Majesty.

Produced, The Report of the Rev. Joseph Hunter upon the Returns intended to be comprised in the Appendix to such General Report.

Ordered, That Mr. Hunter do proceed in the arrangement of the Returns, and do draw up heads of the proposed Report.

Copy of the Office Inventory or Repertory of all the Records at the Tower:

Ordered, That the Secretary do write to Mr. Petrie, and request that this copy be made instead of a copy of the Office Calendar of the Miscellaneous Records there.

Parliamentary Writs, vol. ii. div. 3; Privy Council Books, vols. 3 and 4; volume of Miscellaneous Records from the Chapter House; volume of Early Fines; concluding volume of the Duchy of Lancaster Calendars:

Ordered, That these volumes, when completed at the press, be published.

Board, 17 January 1835.

The printed Case of Robert Pitcairn, Esquire, Writer to His Majesty's Signet, together with the Correspondence of Thomas Thomson, Esquire, Deputy Clerk Register and the Secretary; and an Appendix of Mr. Thomson's Quarterly Reports, from January 1832 to March 1831, was laid before the Board: *Sic. orig.*

Acts of the Privy Council, vol. v.; Rolls of the Curia Regis, vols. i. and ii.; Docquet Book of King Charles the First, whilst at Oxford; Patent Rolls, vol. i.; Norman Rolls, vol. i.:

Ordered, That these volumes, when completed at the press, be published.

Board, 14 February 1835.

Plan to be adopted in the continuation of the new edition of Rymer's Fœdera. Transcripts for this work at home and abroad. The Secretary produced sundry portfolios of transcripts made in the Netherlands, Germany, France and Portugal; also, such portion

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of the Appendixes to his proposed Report as has been printed, and stated, that he hoped to complete the Report in the course of next long vacation, so as to be able to lay it before the Commissioners for their consideration in the month of November.

Board, 11 April 1835.

Excerpts from the Fine Rolls at the Tower of London. This volume, being completed at press, and in the hands of the Commissioners,

Ordered, That it be published and distributed to the public libraries in the usual course.

Plan for erecting a General Record Office upon the site of the Rolls Estate.

Produced, A small volume of Documents and Letters upon this subject, printed for the use of the Board.

Produced, A Statement of the Rolls at the Tower of London in the course of being transcribed and printed, under the order of the Board, dated 17 May 1834.

First Volume of the Rolls of the Curia Regis. A passage in page 5 of the Introduction.

Ordered, That this passage be expunged, or altered, before the volume is distributed to the different public libraries.

Board, 23 May 1835.

Produced, a Report of Sir Harris Nicolas respecting the Continuation of the Publication of the Acts of the Privy Council.

Ordered, That search be made at the Privy Council Office, the State Paper Office, and amongst the Records that lately belonged to the Office of the Clerk of the Pells, for materials for the future volumes of this work, and that the Secretary write to the proper persons to obtain authority for such searches.

The printing of the Harleian MS., No. 433, mentioned in Sir H. Nicolas's Report, is left to his judgment.

Board, 1 August 1835.

The Volume of the Oblata Rolls:

Ordered, That this volume, when completed at the press, be published.

The printing of an octavo edition of the Anglo Saxon Laws and the Welsh Laws—produced an estimate by the King's printers; also a specimen of the proposed octavo volumes.

Ordered, That the folio edition be also published in an octavo form, and that 500 copies of the latter be printed.

Produced, A printed list of libraries and repositories to which such publications have been distributed, in the whole or in part, signed Eyre & Spottiswood, dated February 1835.

Ordered, That Messrs. Eyre & Spottiswood print the entire list in alphabetical order.

Produced, A specimen of the catalogue of the miscellaneous records in the office of the King's Remembrancer, now in the custody of the Board.

Ordered, That the foregoing catalogue be put to press.

Produced, A specimen of the catalogue of the Augmentation Office Records.

Ordered, That the said catalogue of Records in the Augmentation Office go to press.

The printing of the Appendix to the Report of the Board to His Majesty. The attention of the Speaker was drawn to this matter, in order that he might, when applied to, direct a sufficient number of copies of the Report and Appendix to be worked off for the use of Members of the House of Commons.

Produced, Letters from Sir Francis Palgrave respecting the publication of the Letters and Correspondence of Hugh le Despenser, the Black Prince, &c.

Ordered, That Sir F. Palgrave be at liberty to direct the documents mentioned in his letter to be transcribed.

— No. 3. —

SUMMARY from the MINUTE-BOOKS of some Measures taken by the BOARD for preserving the RECORDS and rendering the use of them more convenient to the Public.—*See* the Evidence of *C. P. Cooper*, Esq., 16th March 1836.

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Measures taken for preserving Records.

ON first entering on their duties, the attention of the Commissioners was naturally directed to the possibility of obtaining accurate information respecting the state and condition of the several depositories of Records, the usage and regulations observed in them, the officers, their fees, salaries and emoluments, and at the same time to obtain from persons acquainted with these affairs that information which might guide them in the course of reform and improvement on which they hoped to enter.

Information obtained.

Mr. Illingworth's Observations.

At the Board held 26 April 1831, It was ordered that the secretary do request Mr. Illingworth to communicate to the Board his opinion upon the best means to be adopted for the conservation and arrangement of the Public Records; and

At the Board held May 20 following, "The secretary laid before the Board the observations of Mr. Illingworth on the Public Records drawn up in pursuance of the request of the Board,

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Board;" when it was "ordered that the secretary do cause the observations of Mr. Illingworth to be printed for the use of the Board," which was accordingly done.

These observations are the result of the knowledge obtained by a practical man who had been all his life conversant with records, and was well acquainted with all the advantages and disadvantages which attend the existing system, the impediments to the fair and reasonable use of these documents, the abuses which he supposed to exist, and the state of many of the most important of the records. They apply, 1. To the Tower; 2. The Rolls Chapel; 3. The Petty Bag Office; 4. The King's Bench Records; 5. The Records of the Court of Common Pleas; 6. The Exchequer Records, viz. those of The King's Remembrancer's Office, The Lord Treasurer's Remembrancer's Office, The Pipe Office, The Surveyor General's Office, The Auditor's Office, The First Fruit's Office, The Augmentation Office, The Chapter House.

Circular Questions.

At the same Board, held 20 May 1831, it was "ordered that the secretary do prepare a series of questions to be addressed to the keepers of the repositories of public records relative to the contents of such repositories, the state of the buildings, the arrangement and condition of the records, the calendars and indexes thereto; the officers and clerks employed in the custody and arrangement of the records, their duties, salaries, fees, and emoluments, days and hours of attendance, and other particulars, the number of searches, certificates and copies yearly made in the different offices, the alterations in the ancient arrangement and condition of the different offices that have taken place since the returns made in pursuance of the order of the Select Committee of the House of Commons in the year 1800, and in particular what records have been cleaned, repaired and bound, and by whom, and by whose direction, and out of what fund the expenses thereof have been defrayed; the measures necessary or expedient for rendering the use of the records more convenient to the public."

The questions were prepared accordingly, and transmitted to the several keepers. They were produced at the Board held on 17 November 1831, with a list of the several offices to which they had been sent, when an order was made that they should be transmitted to certain other offices not in the foregoing list, to whom similar questions had been sent by the Select Committee of the House of Commons in 1800.

The twelve questions embraced every particular head of inquiry to which the Committee of the House of Commons had thought it proper to direct their attention in 1800, together with a few additional inquiries.

I. What are the several sorts and descriptions of public records, rolls, instruments, and manuscript books and papers, in your custody as keeper or deputy keeper of records, distinguishing the periods of time to which each sort relates, so far as you are able?

II. What is the condition of the building in which they are lodged, as to security and accommodation for the keeping thereof?

III. In what sort of preservation are the said records &c., and are they arranged in any, and what order?

IV. How many volumes of calendars and indexes, &c. are there relating to the records, &c. in your custody; distinguishing the number of volumes of calendars belonging to each class of records; and specifying to which of these classes there are Indexes Locorum, Virorum et Rerum; and are there complete and general catalogues, calendars, schedules or repertories, and also particular indexes to each sort; or in what respect are the said catalogues, &c. and indexes defective? What proportion, in bulk or number, of the records in your custody are unprovided with any detailed calendar or index, and what is their general nature, and in what part of the repository are they placed?

What degree of utility would result from any defective catalogues, &c. and indexes being completed? State the shortest time within which such as would be useful might be completed, by the ordinary diligence of the persons employed in your office, and specify such extra assistance (if any) as would be necessary for completing them, and the time within which the same might be so completed; and in case any such catalogues, &c. or Indexes as are wanting in your office are known to exist elsewhere, specify the place where, or the persons in whose hands they are or lately were, and whether they are public or private property.

V. Which of the above calendars would it be useful to the public to have printed, and which of them are sufficiently correct and complete for the press, or may be made so by the ordinary diligence of the persons employed in your office, or with any and what assistance, and within what period from the time of beginning to prepare the same for the press? Specify how many printed volumes each of these sets would make in the same sized paper and type as the Rolls of Parliament, and containing 800 pages in each volume.

VI. How many volumes of calendars and indexes to the Records in the said office have been added thereto, for the public use, during the last 30 years, or since the present keeper of the records came into office; distinguishing those which have been made by the officers or clerks employed therein, and those which have been added thereto by gift or purchase, or otherwise?

VII. What officers or clerks are employed for the custody and arrangement of the records, &c. in your office? Specify their general duties, so far as they regard the custody or arrrangement of the said records, &c., and the days and hours of their attendance for that purpose, together with an account of their net annual salaries, allowances and emoluments (if any) paid to them by the public, or derived from any and what other source, in respect of such custody, &c., and a Table of the several Fees demanded for each search, certificate or copy of the said records, &c., or attendance therewith; together with an account of the net annual amount thereof upon the average of the last three years, for which the same can be made up.

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VIII. Is there any person specially entrusted with the care of the said records, &c. whose duty it is to attend upon every search, and to take care that every record, &c. be duly and safely restored to its proper place, and what is the name of his office, or is there any other and what regulation observed for effecting these purposes?

IX. What number of searches, certificates and copies respecting the said records, &c. have been made in your office during the last three years, whereof any account has been kept? Specify the particular years, and the number of such searches, certificates and copies respectively in each year, so far as you are able.

X. Has any and what alteration taken place in the contents, arrangement or condition of your office, or in any other material circumstance respecting the said records, &c. since the year 1800.

XI. Have any and what number of records been cleaned, repaired and bound in your office since the year 1800? Specify the sorts and descriptions of the same, and in what years the same were cleaned, repaired or bound, and by whom, and by whose direction, and at whose expense; and out of what fund the expenses thereof have been defrayed?

XII. Are there any matters not comprised in the preceding questions which it is necessary or expedient to observe for rendering the use of the said records, &c. in your custody more convenient to the public; and what are those matters?

Returns.

Answers were obtained to the questions from all the principal offices, and from most of the smaller offices, presenting a large body of information on all the subjects to which the attention of the Commissioners was to be directed. At the Board held on 23 June 1832, the answers were referred to, and it was then proposed that they should be printed as an Appendix to a General Report, on the model of the First Report and Appendix of the Committee of the House of Commons in 1800; inquiry was to be made as to a proper person to digest and methodize them; and at the Board held October 1832, Mr. Webster was appointed to execute this duty. The returns were subsequently placed in the hands of Mr. Hunter, a Sub-commissioner, whose report upon them was produced at the Board held on 12 May 1834, when it was "Ordered, That Mr. Hunter do proceed in the arrangement of the returns," most of which are now printed as a portion of the Appendix to the intended General Report.

Personal Inspection of Offices.

Another measure which appeared to the Commissioners to be highly expedient and necessary for the proper discharge of the duties committed to them, was to make a personal inspection of the principal depositories of records. The suggestion was made by the Master of the Rolls, at the Board held 26 November 1832; upon whose motion it was "Resolved, That the secretary be instructed to write to one of the secretaries of His Majesty's Treasury, stating that this Board consider it to be their duty to recommend that the several repositories of public records be forthwith surveyed and examined for the purpose of ascertaining whether, in their present state, they are sufficient for the commodious reception of the records appropriated to them, having regard to security from fire and damp, and to a convenient disposition of the records for the public access; and if it shall appear that in their present state they are not sufficient, whether by any and what means they can be rendered sufficient, And further, that this Board takes the liberty to suggest to the Lords Commissioners of His Majesty's Treasury the propriety of directing some one of the architects now employed under the Commissioners of Woods and Forests, to make the survey and examination here recommended; and that for the purpose of promoting the efficacy of this examination, the Board will nominate two of their members to be in communication with him. And the secretary is further instructed to request that the secretary will submit his letter to the consideration of the Lords Commissioners of the Treasury." It was also "Resolved, That Sir Robert Inglis and Mr. Hallam be requested to take the trouble to attend the architect who shall be appointed at the several repositories of records, for the purposes stated in the foregoing resolution."

Sir Robert Inglis and Mr. Hallam undertook the task enjoined by the resolution. His Majesty's Government consented to name an architect for the purpose, and the said Commissioners immediately placed themselves in communication with Sir C. B. Stephenson at the office of Woods and Forests, Land Revenue and Works.

They proceeded to the execution of their task, accompanied by two gentlemen from that office on several days, when they visited, 1. The King's Mews, then the temporary depository of the immense mass of records which for so many years were contained in the wooden shed in Westminster Hall, belonging to the Common Pleas and the office of the King's Remembrancer; 2. The Pipe Office; 3. The office of the Lord Treasurer's Remembrancer; 4. The Tower; 5. The Rolls Chapel; 6. The Chapter House; 7. The Stone Tower at Westminster. The Report was laid before the Board on 27th April 1833, and ordered to be printed for the use of the Commissioners.

At a subsequent Board held on 22d June 1833, one of the Commissioners, Mr. Protheroe, in the midst of a statement respecting the operation of cleaning and repairing records which were going on at the Augmentation Office, laid before the Board some remarks on the state of the records in that office, and the exposure of them to accident from fire, which the subsequent event, when they narrowly escaped destruction in the fire which consumed the two Houses of Parliament, rendered remarkable.

MEASURES taken, founded on the Information received.

I.—Repositories. Records in Masses.

At a Board held on 20th May 1831, it being represented (by Mr. Illingworth, in the observations before referred) that the records of the Court of Exchequer, in the Lord Treasurer's

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Treasurer's Remembrancer's Office, and in the Pipe Office, now deposited in the vaults on the eastern side of Somerset House, are in great danger of perishing from damp and other causes; also, that certain Records, kept in the roof of the Rolls Chapel, have suffered considerable injury from being alternately exposed to excessive heat and damp, and other Records under the organ-loft have suffered much from the dust to which the same are there exposed; that the Records in the Chapter House are exposed to danger from fire, from a building lately erected, adjoining that repository; and that the Records of the Court of Common Pleas were deposited in the wooden shed, in Westminster Hall, are in a very insecure state, and suffering great injury from damp.

Committee appointed to consider what changes may be necessary.

Ordered, That the Right Hon. Charles Manners Sutton, the Right Hon. Charles Watkin Williams Wynn and Edward Protheroe, Esq., do form a Committee to consider whether it be expedient to remove any of the Public Records from their present repositories, and also to consider where it will be expedient to provide repositories for the Records to be so removed; and also, to inquire what changes and alterations have taken place in the repositories of Public Records since the Report of the Record Committee of the House of Commons in 1800.

The Committee assembled on the 25th of the same month, when they were furnished by the secretary with some remarks on the state of the Chapter House, the Tower, the Pipe Office, and the Rolls Chapel, chiefly in reference to what had been recommended by the Select Committee of the House of Commons in 1800, and done in consequence. The attention of the Committee was also especially drawn by him, 1. to the Records in the vaults under the eastern side of Somerset House; 2. to the danger of fire from some buildings lately erected near the Chapter House; and 3. to the records recently removed to the King's Mews, or still remaining in the wooden shed in Westminster Hall.

Mr. Wynn and Mr. Protheroe visited the vaults at Somerset House and the parts of the King's Mews in which the Records of the Court of Common Pleas were deposited.

At the next Board, which was held on 10th June 1831, notes of the proceedings of this Committee were read.

Chapter House.

1. The Chapter House.—Certain improvements respecting the keeping and arrangement of the Records recommended, That the surveyor-general should be directed to report on the buildings adjoining, on account of the danger of fire, arising from the contiguity.

Somerset House.

2. The vaults at Somerset House reported to be utterly unfit repositories for Records: the Records, it was thought, were about to be removed.

The King's Mews.

3. The King's Mews.—Records lately removed thither; others to be brought: danger from fire arising from a canteen, which has been lately erected against the wall of the building, and from a quantity of old timber and building materials piled up near it: recommended that they shall be removed.

At the Board which was held 1 December 1832, the secretary reported that he had had several interviews with Sir Benjamin Stephenson, on the subject of the buildings adjoining the Chapter House, and is enabled to state, that although it would have been more satisfactory had the Dean and Chapter of Westminster removed the insignificant building which has, as it appears, for a century past created some alarm for the safety of this repository, yet there is no reasonable ground for the apprehensions that have been felt.

He also reported at the same Board, That the canteen and the piles of timber, which were supposed to endanger the Records at the King's Mews, had been removed, in consequence of an application made by him to the Board of Ordnance.

Rolls Chapel.

Proposed appropriation of the Rolls House to the reception of Records.

Notice was not taken by this Committee of the Records in the roof of the Rolls Chapel, which had been reported to be in an unsafe state, through exposure to alternate heat and damp, in consequence of a plan being at that time under the consideration of His Majesty's Government for the great enlargement of the accommodation afforded to the Records in the Rolls Chapel, by the conversion of the house of the Master of the Rolls into a repository of Records.

The Memorial of Sir John Leach, the Master of the Rolls, addressed to the Lords Commissioners of His Majesty's Treasury, setting forth the extreme desirableness of the proposed changes, was produced by him to the Board, held on June 10th 1831, when he stated that if the plan met with the favourable consideration of His Majesty's Government, the Records in the vaults at Somerset House, as well as those of the King's Bench, at Westminster, which are there in an inconvenient repository, might be received into the Master of the Rolls' House. The Commissioners resolved to lend their support to the plan, and the Lord Chancellor was requested to communicate with the Chancellor of the Exchequer respecting it.

The following Letter was also addressed by the Secretary to the Right Honourable Thomas Spring Rice, the Chancellor of the Exchequer.

New Boswell Court, Lincoln's Inn,
July 7th 1831.

Sir,

I AM commanded by the Commissioners on Public Records to request that the Lords Commissioners of His Majesty's Treasury will be pleased to give instructions to the Surveyor-general to inspect the King's Bench Office at Westminster, and the rooms above and below and adjoining the same, and also the Rolls House, in Chancery Lane, and report upon the practicability of removing the records in the above office to the first floor of the Rolls House, and of erecting a court for the Master of the Rolls, with the requisite accommodation, upon the site of the King's Bench Record Office: and also to inspect the records in the vaults under the eastern side of Somerset House, and to report upon the

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practicability of removing the same to the second floor of the Rolls House: and also to inspect certain Records in the Rolls Chapel, and to report upon the practicability of removing the same to part of the ground floor of the Rolls House. The Commissioners also request that their Lordships will be pleased to instruct the Surveyor-general to survey the buildings contiguous to the Chapter House, and report what measures ought to be taken to prevent the danger of fire, to which this repository is exposed from the contiguity of such buildings.

I have the honour to be, &c.

The Right Honourable T. Spring Rice, &c. &c. &c.

C. P. Cooper.

King's Bench Records.

In consequence of these representations the Government ordered that the Records in the treasury of the King's Bench at Westminster, should be removed to the Rolls House, which was communicated to the Board on the 11th February 1832, and they were removed accordingly, but no order was made respecting the Records in the vaults at Somerset House:

Records of the Pipe Office and Lord Treasurer's Remembrancer.

whereupon the Commissioners directed their attention to the possibility of somewhat improving the state of those Records; and at the same Board, the secretary produced a letter from Mr. Panton, one of the sworn clerks in the Pipe Office, in reply to one addressed to him, in which inquiry was made concerning a report that some of the Records in those vaults had lately been removed in a state of decomposition; in which Mr. Panton informs the secretary that the injury had been sustained, while the Records were closely packed in canvas bags, and lodged in the attics on the eastern side of the quadrangle: and that he was then employed, at the expense of the deputy clerk of the Pipe, in selecting those accounts which were partially decayed, in order to clean and better arrange them, that they may receive no further injury: that the partially decayed Records are comparatively few, chiefly accounts of the duties, excise, customs, and of public accountants at home and abroad, between the years 1600 and 1780, and are scarcely ever searched into, either by the public or the officers of the department. The secretary stated that he had great hopes of soon being able to make an arrangement with Mr. Panton, and some other gentlemen, for the sorting and cleaning the Records in the Lord Treasurer's Remembrancer's Office.

Not a little has been done for the better preservation of these Records: but nothing short of their removal from their present depository to one which is better adapted for the reception of them, can ever be regarded as meeting the just expectations of the public. At the same time it may be proper to observe that the Records, of which we speak, are not the very important series of the Pipe Rolls, which is preserved in a repository where they are easily accessible, and in a state of reasonable security.

Records formerly in the Shed at Westminster Hall.

In 1822, on the erection of the New Courts, at Westminster, an immense mass of valuable records, which were those of the Common Pleas and of the King's Remembrancer, were expelled from their ancient repositories, and found a temporary shelter in the large wooden shed, which, for many years, disfigured the great Hall at Westminster. When this shed was removed, preparatory to the coronation of His present Majesty, these records required to be removed to some other place of deposit, and no place more convenient could at that time be found than certain buildings, parts of the King's Mews at Charing Cross.

Common Pleas Records.

The removal of the Records of the Common Pleas took place by direction of Sir Nicholas Tyndall, the Lord Chief Justice, and was superintended by Mr. Jonathan Hewlett. The removal occupied six days between the 8th and 15th of October 1830. Mr. Hewlett made a report on the removal and the arrangement and distribution of them in their new depository, to the Lord Chief Justice, which report was laid before the Board of Commissioners on June 10th 1831. It did not appear that anything more was in the power of the Commission in respect of these important documents, as long as they remained in what was become their place of temporary deposit. Nor when the King's Mews was taken down to make way for the National Gallery, could more be done than to be assured that the transference of them to the Carlton House Riding School, the only place which could then be allotted for the reception of them, was done in a satisfactory manner, which was reported to the Board held on April 11th 1835.

King's Remembrancer's Records.

Much more was done by the Commission in respect of the Records of the King's Remembrancer, which were also removed from the wooden shed to the King's Mews in 1831. They were in a state of the greatest confusion, and many portions of them in the last stage of decay, having been exposed to every kind of accident while in the shed. Of the other operations notice will be taken afterwards, most of these records have since found a more convenient and more suitable resting-place in rooms adjoining the Augmentation Office, while others were removed to the Riding-house.

Chancery Records at the Tower.

The Records at the Tower have presented nothing to the Commission as requisite and practicable for their better conservation as a mass, or for the improvement of the buildings to which they are preserved; but it being understood that certain vaults beneath the room in which a great portion of the Records in this depository are laid up, were lately converted into a magazine for gunpowder, the same was reported at the Board held 30th June 1832; when it was Ordered,

> That the secretary do write to the Board of Ordnance, and request that such magazine be removed.

A correspondence ensued, but it led to no favourable result. It appears, however, that as long ago as 1732, it was reported respecting this repository, that although Cæsar's Chapel

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was a commodious receptacle for Records, yet there are underneath stores of gunpowder belonging to the office of Ordnance. Again, it being reported that alterations have been lately made, by direction of the Ordnance Office in the White and Wakefield Towers, endangering the safety of the Records, at the Board held on February 14th, 1835, it was referred to Mr. Petit and Mr. Hallam to enquire into this matter, who on February 19th had an interview with Mr. Petrie on the subject.

Records of the Office of Land Revenue for England and Wales.

At the Board held March 30th, 1833, the subject of the Records belonging to the late office of the auditors of the land revenue for Wales, and of the land revenue of England was brought under the consideration of the Commissioners. It appeared that by the Act, 2 Will. IV. c. 1, intituled "An Act for uniting the Office of the Surveyor-general of His Majesty's Works and Public Buildings with the Office of His Majesty's Woods, Forests, and Land Revenue," it had been referred to the Commissioners of His Majesty's Treasury to provide a proper building for the reception of them, and to appoint a keeper; and on further inquiry a report was made to the Commissioners, dated April 22d, 1834, that this subject was under the consideration of the Treasury.

Records of the Clerk of the Pells.

The office of Clerk of the Pells being abolished by the Act, 4 Will. IV., c. 15, the attention of the Commission was directed on the Records, which were in the custody of that officer; and at the Board held April 11th, 1835, the secretary stated he had been in correspondence and communication with the Right Honorable Sir John Newport (to whose custody the said Records had been transferred) and the Treasury respecting these valuable Records, and that arrangement had been made for having them cleaned, sorted, repaired, and catalogued under the superintendence of the Board.

Proposal for a general Record Office.

In all their inquiries into the present state of the repositories for Public Records, both as regards conservation, and facilities of access and reference, the Commissioners have seen reason to regret the inadequacy of many of the existing repositories to the exigencies of the case, and especially when the Records have been in a state of gradual and constant accrescence. They have been sensible to the evils which attend the removals which have been rendered necessary in respect of a vast mass of the national Records, first from the shed in Westminster Hall to the King's Mews, and then from the Mews to Carlton House Riding-school, or other places to which any portions of that great mass have been removed. The risk and the expense were important considerations. The remedy which alone presented itself as adequate to the necessity, was the erection of an edifice constructed especially with a view to the reception of the national Records, and not like the present repositories, built for some purpose entirely distinct from that of serving the purpose of such a repository, and only made to serve that purpose, because no better place of deposit could, as the exigencies from time to time arose, be anywhere found. The great and manifold advantages of such a general repository, both as respects conservation, arrangement, and the public convenience in respect of access (one of the great inconveniences of the present system being that a search must in many cases be made in different offices lying apart from each other, and at distances perhaps even from the Tower to the Chapter House at Westminster,) determined the Commissioners to bring this subject before the attention of His Majesty's Government, confident as they are that anything short of this, however it might palliate an existing evil, would be no effectual remedy, and that similar evils would present themselves in quick succession, with the growth of the constantly accumulating mass; and that an expense might be incurred in minute (though large) sums, which in the aggregate would afford the means of carrying into effect a plan adequate to the whole necessities of the case.

The proposal of Sir John Leach, the Master of the Rolls, to surrender the Rolls House, to form an additional repository of Records, to which reference has before been made, opened to the Commissioners, of whom he was one, a prospect of being able to present to the consideration of His Majesty's Government a scheme for the accomplishment of this great object. The site of the Rolls House, with the garden adjoining, lying between Chancery Lane and Fetter Lane, appeared to offer as convenient a site for such a general record office as it could reasonably be expected to obtain; and as the Master of the Rolls was willing to surrender it for the purpose, a great preliminary difficulty seemed to be overcome. Many of the details of this scheme are set forth in a pamphlet printed at the expense of the Board in May 1832.

During the remainder of that year and in the early months of 1833, the scheme was frequently under the consideration of the Commissioners: and in April 1833 Mr. Protheroe in the name of the Board made a representation to the Lords of the Treasury, strongly urging on their attention the necessity of adopting the proposed or some similar plan.

On September 4th, 1833, a letter was addressed from the Treasury to the Commissioners, expressing a general approbation of the plan, if it could be carried into effect without expense to the public.

On January 25th, 1834, the Board came to the following Resolution:

Resolved, That it is expedient for the due preservation of the Records now kept in one wing of the King's Mews, Charing-cross, and in the vaults on the east-side of Somerset House, that a proper building be forthwith erected for their reception, and his Honor, the Master of the Rolls, consenting that the Rolls-garden, Chancery-lane, be applied for the purpose, after appropriating space on the south-side thereof for new chambers for the judges. The secretary is directed to make a communication to that effect to the Lords Commissioners of the Treasury, and to suggest that it is the opinion of the Board that the money requisite for the new building to contain such records should be taken from the Suitors' Fund in Chancery, and the secretary is to request that the Treasury will appoint some person to communicate with the Master of the Rolls as to the site of such building, and to

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make a plan and estimate of such proposed building, with an instruction that it may be so constructed as to be capable of enlargement as occasion may require.

A Bill for this purpose was drawn, and Lord Duncannon, on July 14th, 1834, gave notice for leave to introduce it in the House of Commons.

Objections soon arose to the appropriation of so large a portion of the Suitors' Fund as 20,000 *l.*, which was the sum contemplated in the drawing of the Bill, and Sir John Leach, the Master of the Rolls, being deceased, and Sir C. C. Pepys being nominated his successor, it was become necessary to ascertain the disposition which that gentleman might entertain towards the proposed plan. Whereupon at a Board, held April 11th, 1835, there was produced a volume of documents and letters upon this subject, printed for the use of the Board, when it was: Ordered, "That the secretary do write to his Honor the Master of the Rolls, to inquire whether he has any objection to the plan of erecting a General Record Office upon the site of the Rolls-garden, as disclosed by the aforesaid printed documents and papers conformably with the intention of Sir John Leach, upon the understanding that his Honor be compensated for the loss of the Rolls House as a residence, either by an increase of salary, or by another fit habitation for the Master of the Rolls being provided elsewhere, and if his Honor should not be adverse to the execution of the plan upon such condition, then the secretary is to communicate to the Commissioners of Land Revenue in reply to General Stephenson's letter, the recommendation of the Board that a Bill similar to that of which a copy is printed amongst the above-mentioned papers should be brought in, but with a clause for such compensation as is suggested."

The consent of the Master of the Rolls was signified by a letter addressed to the secretary, dated 30th April 1835. This was communicated to the Board, held on May 23d, when "The secretary stated that upon receiving such letter from the Master of the Rolls he had, in pursuance of the Resolution passed on the last Board, communicated to the Commissioners of Land Revenue the recommendation of the Board, that a Bill similar to that referred to by the Resolution should be brought into Parliament, but with a clause for such compensation as is there suggested."

Some further communication has taken place between the Commission and His Majesty's Government on this eminently important subject.

II. Sorting, arranging, repairing, binding, &c.

These operations had been going on in four principal offices under the former Board, who committed the superintendence of them to their secretary, Mr. Caley. When a new secretary was appointed at the first meeting of the present Commission, which was held, on March 26th 1831, it was "Resolved, that Mr. Caley should be appointed a sub-commissioner to superintend these operations:" and on the 20th May ensuing it was "Ordered, that the secretary do procure from Mr. Caley an account of the offices in which the work of repairing and binding the Public Records is proceeding under his discretion; what are the records now repairing and binding; what number has been repaired and bound since the present Commission issued; what expense has been incurred during the same period; and out of what fund, and by whom that expense has been paid; and what will be the yearly and other expenses in future, and how long it is probable such expense will continue?"

Mr. Caley appointed a Sub-Commissioner for the purpose.

Offices in which those works were carried on.

Mr. Caley replied, in a letter dated May 31st 1831, that the operations were going on at—

1. The Chapter House.

The Chapter House, Westminster, where, of a series of letters and papers, four volumes were already bound and two more ready for the binders.

2. The Augmentation Office.

The Augmentation Office, where depositions in the court and certain miscellaneous documents, sufficient for five volumes, of which two were bound and three ready.

3. The Duchy of Lancaster Office.

The Duchy of Lancaster Office, where pleadings in the Duchy Court, from 35 Elizabeth, up to which time all had previously been done to 38 Elizabeth, had been smoothed for the binder.

4. The Rolls Chapel.

The Rolls Chapel, where two volumes of Inquisitiones Post Mortem, of 22 Elizabeth, and one volume, of 23 Elizabeth, were made ready for binding.

Seven workmen were under the direction of Mr. Caley, of whom four were employed at the Augmentation Office, for the records in that office, and the Chapter House in its immediate vicinity, one at the Duchy of Lancaster Office, one at the Rolls Chapel, and one at Mr. Caley's own residence.

Mr. Caley continued to make quarterly reports of the progress made in these works in the four offices till March 1833; he presented also yearly summaries, from which it appears that

	To March 1832:		To March 1833:	
	Vols. bound.	Rolls cleaned, &c.	Vols. bound.	Rolls cleaned, &c.
The Chapter House - -	31	many.	33	many.
Augmentation Office - -	35	1,550	35	1,624
The Rolls Chapel - - -	19	—	17	—
The Duchy of Lancaster Office -	18	—	23	—

The

The Board trusted in part to Mr. Caley's knowledge and long experience in everything relating to Records, but their attention having been drawn from other quarters to some particular classes of Records, they were recommended to his especial attention, and are included among them which were cleaned, repaired or bound. The documents so recommended to him were the Rolls of the Curia Regis at the Chapter House, the Records of the earliest judicial proceedings in England and perhaps in Europe: the 5998 Parliamentary writs and returns from 33 Henry VIII. to the last Parliament before the Restoration, in the Rolls Chapel: and to the Parliamentary surveys of Ecclesiastical Benefices, in three volumes, in the same repository, all of which were in a state of greater or less decay.

Mr. Caley's state of health, however, after awhile, was such as to incapacitate him for much active superintendence. There was a resolution of the Board on April 1833, that the secretary was at liberty to assist Mr. Caley; and from that time to the present the same number of workmen have been employed in these operations under the superintendence of the secretary (Mr. Caley having died in 1834) and of proper and efficient persons to whom the oversight of those operations was committed by him.

5. The King's Remembrancer's Records.

The King's Rememembrancer's Records.—When the present Commission entered on their labours, they found the Records in three distinct repositories, viz. the Stone Tower adjoining the great gate at Westminster Hall, the Record-room beneath the Exchequer Office, in the Inner Temple, and the large Wooden Shed in Westminster Hall, from whence in the long vacation of 1831, they were removed to the King's Mews. The state of decay, disorder and confusion in which the latter portion of these valuable Records was lying at the Mews, was described to the Commissioners as demanding their immediate attention. Mr. Vincent, the King's Remembrancer, in his return to the circular questions of the Commission, gave his testimony to their decayed and neglected state. On 10th March 1832, the Board addressed itself to Mr. Vanderzee, one of the sworn clerks in the King's Remembrancer's Office, requesting that some steps should be taken in the arranging and cleaning this mass.

Mr. Vanderzee, who had been a Sub-commissioner under the former Commission, undertook to reduce the mass of confusion to some degree of order, taking to his assistance Mr. George Vanderzee, jun., and Mr. Adlington, two of the side clerks, and Mr. Trickey, the bag-bearer; the operations proceeded under their direction during the summer of 1832.

As winter approached, their labour slackened; Mr. Vanderzee the younger was obliged to leave town. About this time Mr. Robert Thompson, another of the side clerks, undertook the task, and worked for some time in the house of the Commission, in New Boswell-court. Mr. Vanderzee made a report to the Board on 6th March 1833. These operations were then placed under the direction of Mr. Cole, who was not an officer of the King's Remembrancer, that officer having expressed his readiness to admit him to the Records; and under the direction of Mr. Cole, assisted by workmen of the Commission, the business of sorting, arranging and correlative with it cataloguing, proceeded at the expense of the Board. These operations were carried on at the house in Boswell-court, at the Mews, and afterwards at the Augmentation Office. Access was obtained also to other portions of the Records of the King's Remembrancer, and a great and manifest change has taken place in respect of most of these valuable documents, both in respect of their state, of the arrangement of them, and consequently of the facility of access to documents which had been for many years nearly inaccessible and exposed to every species of depredation.

A valuable communication from Mr. Robert Thompson respecting the port books and port bonds in the custody of the King's Remembrancer, was laid before the Board on 22d June 1833, and the subject of investigating and forming some arrangement of themselves, again brought before the Board on 3d August 1833.

6. Pipe Rolls and Chancellor's Rolls

The Pipe Rolls.—The Chancellor's Rolls.—The Pipe Rolls which contain the annual accompts of the sheriffs and other ministers of the Crown rendered into the Exchequer, are perhaps the most splendid series of rolls which any nation possesses. There is one of the reign of king Henry I., though generally regarded as being of the fifth year of king Stephen. But from the second year of king Henry II. there is a series which is almost complete to the present reign. It was known, however, that several of these rolls could not be produced by the officers who had the custody of them. This circumstance was brought under the notice of the Board by the secretary on 11th February 1832, when he stated that he had given directions that search should be made for them, and especially among the Chancellor's Rolls, which are the counter rolls to those of the Pipe, in the custody of the Lord Treasurer's Remembrancer. The Board obtained in this search the assistance of the Messrs. Panton, officers on the Pipe establishment, and the issue of this exertion was to produce 11 of the rolls which had long been absent from their places in the series, reducing the number not known to exist in that long series to two, and also the discovery of the roll of the Corpora Comitatuum, which had long lain unknown in a confused mass of Records. The Messrs. Panton were encouraged to complete their task by undertaking to perfect a design which it appears had been begun by the deputy clerk of the Pipe, namely, the cleaning, cleansing, repairing, new ticketing, and arranging these rolls, which are now, with the exception of the two before alluded to, placed in regular order, and are easily accessible. The Comptroller's or Chancellor's Rolls are a species of duplicate of the Pipe Rolls, which are the Treasurer's Rolls. The series of these is far less complete, and they are inferior to the Pipe Rolls in dignity and importance. The Commission, however, while its attention was directed upon these officers, thought proper to direct that as many of these rolls as could be found should be separated from the other Records, and arranged in chronological order. Reports on this work were made from time to time. Finally, the Commission prevailed with the proper authorities (seeing the Chancellor's Rolls are not referred to when the

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the Pipe Rolls are in existence) to allow of their being removed to the British Museum, where they might be consulted by the public with the greatest convenience.

7. The Tower.

The Tower.—Mr. Petrie, the keeper of the Records in this repository, reported to the Board, on 20th March 1832, that in the past year "the general sorting and classing of the hitherto unarranged rolls, and other instruments noticed in his last report, had been completed, and that a considerable number of miscellaneous petitions to Parliament had been arranged and calendered." Again, on 1st March 1833, that progress continued to be made in the arrangement and calendaring the miscellaneous petitions to Parliament, and in the reparation and improved disposition of the Inquisitions.

At the Board held 14th February 1835, two members of the Commission were requested to inquire into the progress making in the sorting and calendaring the miscellaneous records in the Tower, as well as at the Augmentation Office and the King's Remembrancer's Office, and they made their report to the next ensuing Board, which was held on the 11th April.

III.—Calendars, Indexes, Catalogues.

The immensity of the mass of the public records must for ever preclude the expectation of having a complete body of calendars and indexes. It has been calculated, on an attentive consideration of the question, made at the suggestion of the secretary, that it would require a sum of not less than 300,000 *l.* to engage the assistance that would be rsquisite for the proper execution of this duty, in respect of the records in the Tower of London alone. Much has been done by the labours of persons who in succession have filled the offices of keepers or clerks on the several establishments; and much work of this kind is yearly performed. But the calculations above referred to must plainly show, that the expectation of such calendars and indexes being formed as would place in view, and make easily accessible all the information contained in these repositories, is never to be fulfilled.

The Tower.

The Commission, however, has not been inattentive to operations of this nature. The business of calendaring has gone on at the Tower under the direction of Mr. Petrie, as part of the duties of the clerks; but beside this, the Commission has had constantly in its service gentlemen at that repository, who have been engaged in making calendars or transcripts of those documents, which are many and important, not belonging to any of the great series, but falling under the description of miscellaneous and unsorted documents.

The Chapter House.

The calendaring and indexing at the Chapter House, by the clerks of that establishment, has proceeded, and been reported from time to time to the Board. They apply, as far as they have gone, to the fines, the privy seals, and the miscellaneous Records.

Augmentation Office.
King's Remembrancer's Records.
Parliamentary Surveys.

Large calendars have been prepared by Mr. Cole of Records in the Augmentation Office, and in the custody of the King's Remembrancer. A complete calendar or abstract has been framed by the Board of the 24 volumes of Parliamentary Surveys of the lands of the bishops and deans and chapters, and of ecclesiastical benefices, now in the archives of the Archbishop of Canterbury, at Lambeth; also, catalogues, very minute in their analysis, of the historical and legal manuscripts, many of which contain transcripts of Records, collected by Sir Matthew Hale, and given by him to the Society of Lincoln's Inn, but with restrictions as to the use of them, which have operated to produce almost an utter exclusion from the use of them, or a knowledge of their contents; and similar catalogues of the manuscripts in the Bodleian Library, at Oxford, containing the vast collections of Dodsworth, a great Record antiquary of the 17th century.

Lambeth.

MSS. Lincoln's Inn.

Dodsworth MSS. at Oxford.

Calendar of Wills.

A work belonging to this class of operations, of eminent public utility, has long engaged the attention of the commission, but hitherto without being accomplished. The disadvantages of having no printed calendars of the wills deposited in the various courts having the power of granting probate is felt at once by the practical man, and the literary enquirer. The attention of the public, and of the Board, was drawn to this subject by a gentleman, who is now a sub-commissioner. A very able memorial on this subject, with a specimen of such calendar prepared by another gentleman of great experience in the use of documents of the class in question, was laid before the Board on June 22d, 1833; and a second plan, in which a more condensed form of the calendar was described, was presented to another Board held on August 3d, 1833. This important object is still kept in view.

Private Indexes.

Beside the calendars and indexes in the offices, which are public property descending with the Records, there are in some of the offices what are called private indexes, that is, indexes the property of individuals, who have the power of granting or withholding access to them to persons who resort to these offices for the purposes of legal or literary research. The right of possession of these indexes appears to be unquestionable. They have obtained them by purchase or gift. The fees demanded for the use of them are complained of as being enormous, and it may be feared that the existence of them interferes in some degree with the performance of that part of the duty of the clerks on those establishments, which consist in employing the hours not demanded for searching in extending the official or public indexes.

Mr. Kipling's.

The most important of these private indexes is that of the Rolls Chapel, late the property of Mr. Kipling; and it appeared to be an object worthy the attention of the Commissioners to ascertain whether it was not practicable to obtain those indexes on moderate terms, for the use of the public. The business was brought before the Board on May 20th, 1831, when it was "Ordered, that the secretary do ascertain whether it be practicable to purchase for the public use such of the indexes to the Records in the Rolls Chapel, as are the private property of the late Mr. Kipling, and upon what terms."

It

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No. 3.

Measures taken for preserving Records.

It was afterwards communicated to the Board by the Master of the Rolls, that the price demanded for those indexes (50 vols. in number), some years before had been 5,000 *l.*; that Mr. Kipling had expressed a wish that they should be given on his decease to the clerks, who had been with him nearly 30 years, that they had accordingly been presented by Mr. Kipling's executors to Mr. Palmer, for the benefit of himself and the other clerks, and they are willing to appropriate them to the use of the public for the sum of 1,500 *l.*, which he, the Master of the Rolls, thought a very moderate demand; but at the next Board held on June 30th, 1832, this proposal was withdrawn, and the negotiation was not afterwards resumed.

Mr. Caley's.

After the death of Mr. Caley, the subject of certain private indexes belonging to him was brought before the Board. A sum was proposed for them, and declined on the part of his representatives, by whom they were sold at public auction.

IV.—Establishments, Officers' Fees.

A proposal was made at the Board, held on 30th June 1832, for the appointment of a committee or committees "to inquire into the duties of the several officers, clerks and other ministers having the care, custody or management of the Public Records in all the several departments, and as to the salaries, fees and other emoluments and perquisites received by such officers, clerks, ministers and other persons; and also into the rules, usages and regulations of the several Record offices and other repositories of Public Records, and the general course of business therein, and all matters connected therewith; and also to inquire whether any, and what, reforms, alterations, amendments and improvements, may be beneficially introduced therein; and more especially with a view to the better arrange ment, preservation and more convenient use of the Records and papers, and how such reforms, alterations, amendments and improvements may be best carried into effect." The appointment of the committee or committees was postponed.

Information on the state, in these respects, of the several offices, was about this time obtained, in answer to the twelve queries circulated by the Commission. From many of these the secretary selected those portions which related to the subjects above enumerated; together with extracts from former returns to the Committee of the House of Commons, from the Appendix to the Twenty-seventh Report of the Select Committee on Finance, 1798, and from the Report of the Commissioners appointed for examining into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of the several Record Courts of Justice, 1818 and 1822. These formed a body of information on these topics. The extracts were printed for the use of the Commission, as was also, at different periods, such other information on the subject, especially concerning the fees in the different record offices, as the secretary was able to collect from previously printed, or from manuscript authorities.

The subject of the fees and emoluments of the various persons engaged about the custody of Records, the time of their attendance, and the business in which they should be employed, continued to occupy the attention of the Commissioners; and in the bill drawn under their sanction, and intended to have been introduced into Parliament by Lord Duncannon, in pursuance of his Lordship's notice of motion for leave, on 14th July 1834, for erecting a general Record Office, clauses were introduced, which went to the extent of the reversal of the whole of the existing system, and placing in the hands of the Commissioners on Public Records, together with the Master of the Rolls, a power to create a new system in these respects, by which it was hoped that the custody of the Records, the facility of access, and the ease and convenience of the public, would be better secured than at present.

But though it has not been in the power of the Commissioners to make any general representation to His Majesty on these subjects, which are surrounded with difficulties in the present state of these offices, they have had an opportunity of interfering beneficially for the public in respect of two of the principal offices containing Records.

The Chapter House.

The office of keeper of the Records in the Chapter House became vacant in 1834, by the death of Mr. Caley. On the appointment of Sir Francis Palgrave, his successor, a letter from the Honorable James Stewart, dated April 24th, was addressed to the Commissioners, by direction of the Lords of the Treasury, inclosing a copy of the Treasury Minute relative to this appointment, and requesting that the Commissioners would consider and state to the Treasury what establishment would in their opinion be necessary for assisting Sir Francis Palgrave in the proper execution of his office, and what fees should be charged for searches or for copies of documents furnished to the community: when it was "Ordered, That the Right Honorable C. W. Williams Wynn, M. P., Louis Hayes Petit, esq. H. Bellenden Ker, esq., and Edward Protheroe, esq. be appointed a committee to consider and report to the Board upon the matter;" whose Report, tendered to the Board on August 14th, 1834, was adopted, and a copy of it ordered to be transmitted to the Treasury on the part of the Commissioners.

Office of Chief Clerk in the Record Office at the Tower.

Again, it being reported to the Board, May 17th, 1834, that "the office of chief clerk in the Record Office, at the Tower, was vacant, occasioned by Mr. Bayley's long absence;" the Board considering that it is desirable that some more effectual arrangement should be made to ensure the clerks appointed in the Record Offices at the Tower and the Chapter House performing the work of calendering, indexing, &c. and for which work, since the decrease of searches that has lately taken place, they have much more leisure than formerly; and the consideration of the Chapter House establishment being already referred to a committee,

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No. 3. Measures taken for preserving Records.

it is "Ordered, That the secretary do write to Mr. Petrie and the Treasury to request that no steps be taken to fill up the above-mentioned vacancy without previous communication with the Board." At the Board, held on February 14th 1835, the secretary stated that, in pursuance of the order made at the Board of the 17th of May 1834, he had written to the Treasury and Mr. Petrie; that the vacancy had not in consequence been filled up, and it was probable the place would be abolished, but he had not as yet received any official communication.

Access to Literary Inquirers.

In respect of facilities of access, it is to be remarked that applications were at different times made to the Board, by Sir Thomas Phillipps and Sir Frederick Madden, soliciting the interference of the Board to obtain for them, access to the various depositories of public records, for the purpose of making extracts from them without payment of fees, for the literary works in which those gentlemen were engaged. The Board did not feel itself empowered to make any direct order on the subject, but it has used its influence in favour of the principle involved in new applications, and it is known that such gratuitous access is now afforded to literary and historical inquirers at the principal offices.

Appendix (G.)

REPORTS AND COMMUNICATIONS FROM COMMISSIONERS.

Appendix (G.)

No. 1. Letters, &c. on the Constitution of the Board.

—No. 1.—

LETTERS and OPINIONS of the COMMISSIONERS on the Constitution of the Board.

(1.)—LETTER of *Henry Bellenden Ker*, Esq. to the Secretary, respecting the Constitution of the Board.

My dear Sir, Lincoln's Inn, 3 June 1836.

I HAVE read Mr. Allen's observations on the constitution of the Record Board, and I fully concur in the remarks and suggestions he has made.

I think however, it would be important to add that it is essential that the Commission should have more extended powers over the record depositories and record keepers; unless these are given, the Commissioners will not be enabled to carry into full effect the reforms and improvements which they may conceive ought to be made.

The experience of the past abundantly proves the necessity of this.

C. P. Cooper, Esq., Secretary, &c.

I am, your faithful servant, *H. Bellenden Ker.*

(2.)—LETTER of the Right honourable the Lord Clerk Register to the Secretary, respecting the Constitution of the Board.

Dear Sir, Grosvenor-street, June 3.

WITH Mr. Allen's observations I entirely agree, and it would be superfluous for me to endeavour to add to his statement. Would the public service be better attended to, or would its confidence be more readily given to any three persons with probably professional pursuits, than to those who compose the present Commission, some of them whose lives have been devoted to the study of the history and literature of their country, and others (with the exception of myself, an official Commissioner), men of high character, eminent for learning and ability. Are the three new gentlemen to act without check or control, and to meet about five or six times in the year, without interruption to any other pursuits, they may be engaged in? The plan does not surprise me; I have long expected it.

Your's faithfully,

C. P. Cooper, Esq. *W. Dundas.*

(3.)—OPINION of Mr. *William Brougham*, respecting the Constitution of the Board.

I HAVE read the observations of Mr. Allen upon the constitution of the Record Board, and beg to state that I entirely concur with him in the view he takes, both as to that point and also as to the appointment of paid Commissioners. In my opinion such appointments would be useless, and would lead to no result except the creation of sinecure places.

Southampton-buildings, 4 June 1836. *W. Brougham.*

(4.)—LETTER from Mr. *Hallam* to the Secretary, on the Constitution of the present Record Board, &c.

My dear Sir, Wimpole-street, 6 June 1836.

I CONCUR for the most part in the observations of Mr. Allen on the constitution of the Record Commission. It might naturally occur to a person unacquainted with the particular business belonging to it, that a Board of Commissioners yielding gratuitous service, and composed in part of men engaged in distinct functions of high importance, would not prove so efficient as one whose remuneration would be a pledge for their giving a more undivided attention to their duties. This would doubtless be the case if the Record Commission were at present, or could, beneficially for the public, become a Board of arduous and extensive labour; but I fully agree with Mr. Allen, and other persons conversant with the subject, in thinking that a salaried Board of Commissioners would either spend their time in doing nothing, or if they should interfere with the editors and others in subordinate employ

employ, might do a great deal of harm. The editors ought to be men better conversant with the business they undertake than Commissioners, unless persons altogether of the same description, can be expected to be; and when once selected judiciously, should be as little subjected to systematic and minute controul as an artist who receives a commission for a picture.

If the Commissioners are to be literary men accustomed to similar labours, the objections would be rather different, but by no means less powerful.

The present constitution of the Board, mixing some high officers of state and some of the judges with gentlemen of independent fortunes and literary habits, appears in practice to be the best that could be adopted.

The influence of the Board with Government is augmented, and the risk of collision with officers having the legal custody of records is diminished by the former class of Commissioners, while the latter both secure a sufficiently numerous attendance, and take upon themselves the occasional business for which the others might not have leisure. A substitution of a few salaried Commissioners for the present Board, would probably necessitate an Act of Parliament to define and extend their powers, and that might bring on considerable difficulties as to the responsibility of the present custodes of Public Records.

It is to be expected that various opinions may be entertained as to the distribution of the funds allotted by Parliament for this Commission, and that works may have been selected for publication, or other expense incurred, which in the opinion of this or that individual should have been postponed to more eligible objects. This seems inevitable under any constitution of office, and I do not feel myself either competent or called upon to defend every act of the Commission. As far as I am able to judge, I should say, that the sorting and arranging these documents, which at present lie in a perfect state of disorder, requires much of our attention, and I am not aware that the erection of a Record Office is a necessary preliminary for this purpose; but there can be no doubt that the want of a proper repository is the best justification for the continuance of some part of the records (not I hope a very material part) in places very unfit to contain them.

I do not altogether concur with Mr. Allen in wishing to abolish the distinction of quorum Commissioners, as whatever inconvenience may have arisen from the distinction might be obviated by adding two or three names to the quorum, and it serves to keep up what I really consider a beneficial ingredient, the aristocracy, if I may so call it, of the Board. I have also some doubts about the necessity of a treasurer, except as a person whose signature the Bank of England, if it is thought fit to lodge there the funds of the Commission, might recognize, and even that is liable to the disadvantage of rendering the absence of the treasurer inconvenient. The accounts, I conceive, should continue to be kept by the secretary.

The appointment of an inspector of record offices might be useful; I am not at present able to give a decided opinion about it.

It is possible that other suggestions might be made, in order to secure as far as possible the regularity and deliberate decision of the Board on the various subjects that come before it; but I shall content myself with expressing a general opinion that the business is not likely upon the whole to be better managed by a different arrangement, though I can have no personal solicitude about the matter.

I am, my dear Sir, yours very faithfully,

C. P. Cooper, Esq. *Henry Hallam.*

(5.)—LETTER of the Right Honourable Mr. *Justice Bosanquet* to the Secretary, respecting the Constitution of the Board.

My dear Sir, Montague Place, 9 June 1836.

I HAVE to apologize for having delayed to reply to your request, that I should communicate to you my opinion respecting the observations of Mr. Allen upon the subject of the Record Commission, to which I have hitherto been prevented from paying attention by continued occupation.

I have now considered those observations, as well as the letter of Mr. Hallam upon the same subject, and I concur generally in the sentiments expressed by both these gentlemen, and particularly on those points which relate to the constitution of a Board composed of salaried Commissioners. A Board of such a description I think highly objectionable. The duties to be performed by the Commissioners are not such as justify the payment of salaries, and the Commissioners ought to be persons of such a description as not to require them.

If the present establishment of the Board be not adequate to the discharge of the duties required, it may be necessary that some additional officers should be appointed, who should be paid for their services; but any such officers should be subordinate to and under the entire control of the Commissioners.

I am not at present prepared to say whether the appointment of two such officers as have been suggested by Mr. Allen, viz. a treasurer and an inspector of Records, in addition to the secretary, be necessary. At present I doubt the necessity of so considerable an addition to the establishment, and I should not like to offer any decided opinion without hearing the subject discussed, when further information might be obtained respecting existing difficulties and inconveniencies.

I am by no means disposed to think the abolition of quorum Commissioners advisable, though some addition to their number may possibly be desirable.

I am, my dear Sir, your faithful and obedient servant,

C. P. Cooper, Esq. *J. B. Bosanquet.*

Appendix (G.)

No. 1.
Letters, &c. on the Constitution of the Board.

(6.)—LETTER of Mr. *Utterson* to the Secretary, respecting the Constitution of the Board.

My dear Sir, Ryde, Isle of Wight, 9 June 1836.

Owing to an unexpected length of absence from home, Mr. Allen's "Observations on the Constitution of the Record Board" did not reach my hands until yesterday. I lose no time therefore now in stating, that having perused the remaks of that gentleman with some attention, I feel bound generally to subscribe to their propriety.

I fully agree with him in thinking that a body of paid Commissioners would supply no deficiency existing under the present organization. Of such the general duties must be light, and would afford a ground of complaint on that score; and were they to have the uncontrolled power of selecting for publication, and editing, works of our ancient historians for the advancement of historical and constitutional knowledge, I cannot but think, that the probability of producing standard works, generally and essentially useful, would be much lessened. For if two or three individuals only were to be the selectors of and responsible for the publication, instead of a more numerous body with opinions less narrowed by long cherished predilections as to the fitness of the subject matter of such works, I apprehend that the latter would be likely to adopt a course better calculated to execute with impartiality the task of affording the most valuable information.

From the circumstance of my frequent absence from the metropolis, it has not been my lot to attend the meetings of the Board so frequently as, if resident in London, I should have done; I cannot therefore venture to express a decided opinion on the necessity of doing away with the quorum Commissioners, to facilitate the dispatch of the ordinary business; but I do not recollect any occasion when I have been present on which any inconvenience has arisen from this cause; and it does appear to me that more importance is given to the meetings, by requiring the presence of one at least of the distinguished individuals invested with that character. Some of the minor alterations also suggested by Mr. Allen appear well calculated to produce the desired improvement in added activity and efficiency; although I fear it is hardly to be expected that any alteration or modification in the constitution of the Record Commission would be altogether satisfactory to all parties, since cases must occur in which frustrated hopes or supposed unrequited services would still excite disappointment and complaint.

C. P. Cooper, esq. I am, my dear Sir, very faithfully yours,
&c. &c. &c. *Edward V. Utterson.*

(7.)—LETTER of His Grace the Archbishop of *Canterbury* to the Secretary, respecting the Constitution of the Board.

My dear Sir, Lambeth, June 9th, 1836.

I have read with attention Mr. Allen's "Observations on the Constitution of the Record Board," and I am of opinion that the modification which he recommends combines all that is necessary for the attainment of the important public objects to which the labours of the Commissioners are directed. Mr. Allen has stated so clearly the principle on which such a Board should be formed, and the manner in which its operations should be conducted, as to make it unnecessary for me to assign any reasons for my concurrence in his general views.

I remain, my dear Sir, your faithful and obedient servant,
C. P. Cooper, esq. *W. Cantuar.*

(8.)—LETTER of *Louis Hayes Petit*, Esq. to the Secretary, respecting the Constitution of the Board.

No. 9, New-square, Lincoln's Inn,
My dear Sir, Saturday, June 11th, 1836.

Circumstances have prevented me from addressing you sooner: but now, after fully considering the subject, I can state, that I entirely concur with Mr. Allen, both in his objections to paid Commissioners, and also as to the principles on which a Board, intended to answer the purposes for which the present Record Commission was issued, ought to be constituted.

I do not wish to discuss the minuter details, suggested by him; and will therefore merely express, that to increase the number of quorum Commissioners would, in my judgment, be better than to abolish them altogether; that I am not fully convinced of the necessity of creating any new officers: but, if deemed expedient to do so, I think they should be appointed by the Board, and made subject to its inspection, regulation and control; and that I deem it essential to the well working of such a Commission, that the power of suspending the labours of any person whatever, employed under the Board, should be vested in the secretary, subject to the restriction specified at the close of Mr. Allen's observations.

I remain, my dear Sir, your faithful and obedient servant,
C. P. Cooper, esq. *Louis Hayes Petit.*

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(9)—OPINION of Lord *Brougham* upon the Constitution of the present Record Board, &c.

Having read and considered the letters of Mr. Allen, Mr. Hallam, Mr. Justice Bosanquet, and others of which the secretary has been so good as to favor me with copies, and having considered as fully as I am able the subject of those letters, I agree so entirely with the view taken by Mr. Allen (excepting as to the appointment of a treasurer, which I am entirely

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entirely against, and that of an inspector, about which I have at present some doubt), that I think it unnecessary to enter at any length into the question. My opinions are, I believe, well known to have been unfavourable to the existence of Boards composed of persons not able to give a regular attention to the duties cast upon them, and leaving the business chiefly in the hands of the subordinate officers (whom they arm with their authority), and for reasons too obvious to require being stated. But although in general I should prefer a Board of a small number of paid Commissioners, it is quite clear that this principle can only be applicable to cases where there is regular occupation for such a Board, and I have always been decidedly of opinion that the Record Commission does not fall within the description of cases to which the principle applies. Mr. Allen has clearly shown this, and I really can conceive no measure more entirely without justification than the appointment of a Record Board of paid Commissioners would be.

If it should be thought that after all the improvements already made, and those further ones now suggested, there is still any objection to the constitution of the Commission, and that it should be placed under the control of more responsible functionaries, I am clearly of opinion that these should be sought among the great officers of state who have no official duties, or next to none. A place of Keeper of the Records might be created, but always attached to the Presidency of the Council or the offices of Privy Seal or Duchy of Lancaster. The advantage required would thus be obtained without a proceeding so very objectionable as the one in question. But I see no reason to doubt that the present Commission, with the improvements suggested, would answer every purpose.

I strongly recommend that the audit should be made an effectual one; I never, till I read the evidence, had any doubt that the auditors required the authority for the expenditure as well as the vouchers of the fact to be produced.

13 June 1836. *Brougham.*

(10.)—LETTER of the Bishop of *Llandaff* to the Secretary, respecting the Constitution of the Board.

My dear Sir, Leamington, 16th June 1836.

It has not been in my power from ill health, until very lately, to give my attention to the papers you have sent me concerning the Record Commission.

I have now read attentively, and with much pleasure, Mr. Allen's observations and Mr. Hallam's letter to yourself on the constitution of the Board, and I can without hesitation declare my concurrence in the general positions maintained in both these documents.

That there should be no paid Commissioners, but that under a Board, constituted as the present Board is, there should be a paid officer, of superior qualifications, and literary rank, combining legal experience with the knowledge of historical and legal records, possessed of a general control over the individuals employed in the several departments, editors as well as others, amenable always to the authority of the Board upon complaint made, this has ever appeared to me essential to the orderly and systematic proceedings of the Commission.

Whether the secretary alone should be invested with this general superintending power, or whether an additional officer, such as Mr. Allen suggests, may not be requisite to regulate matters of daily occurrence and detail, and whose whole time should be given to these duties, may be open to discussion, especially as the amount of salary is, under the limited Parliamentary grant, a material consideration. I am inclined to think that the appointment of such an officer would be an improvement on the present system, and that the authority given to him, being exercised in communication with the secretary, and in cases of doubt, with his consent, would tend to the methodical and diligent progress of the several works, and would prevent those dissensions and complaints which have too frequently interrupted the business of the Commission.

I am, my dear Sir, very truly yours,

C. P. Cooper, esq. *E. Llandaff.*

(11.)—LETTER of the Right Honourable Mr. Baron *Parke* to the Secretary, respecting the Constitution of the Board.

My dear Sir, Park-street, 20th June 1836.

I have availed myself of the opportunity which you have afforded me of perusing the observations of Mr. Allen, Mr. Hallam, Mr. Justice Bosanquet, and Lord Brougham, upon the constitution of the Board of Record Commissioners, and having given them due consideration, I beg to express my entire concurrence with their opinions as to the impropriety of establishing a Board of salaried Commissioners. The objections to such an application of the money of the public are so clearly and forcibly expressed by Mr. Allen, that I can add nothing to them.

Upon some of the other points which are discussed in the letters above referred to, I am not quite satisfied. I feel a doubt as to the expediency of appointing a treasurer or inspector of records; I prefer, to the total abolition of the distinction of quorum Commissioners, the suggestion of Mr. Hallam, that their numbers should be augmented. In all other respects I believe I may say that I approve entirely of Mr. Allen's observations.

I remain, my dear Sir, your faithful and obedient servant,

Charles Purton Cooper, esq. *J. Parke.*
&c. &c. &c.

Appendix (G.)

— No. 2. —

No. 2.
Letter from Sir J. Leach on purchase of Private Indexes.

LETTER from the Right Honourable Sir *John Leach*, Master of the Rolls, addressed to the Secretary of the Record Commissioners, relative to the purchase for public use of the Private Indexes at the Rolls Chapel, and which was read at the Board of the 23d June 1832.

Dear Sir,

May I request you to submit the following statement to the Commissioners of the Public Records at their meeting this day. In the year 1800, a Select Committee of the House of Commons was appointed to inquire into the state of the Public Records of the kingdom. Their First Report was ordered by the House of Commons to be printed on the 4th July 1800. By that Report, in page 2, it appears that the keeper of the Records in the Rolls Chapel had not then fewer than fifty volumes of indexes relating to the Patent, Close and Fine Rolls under his custody, which he had purchased from his predecessor in office, and which were therefore his private property; and that the Committee, considering the importance of these documents, recommended that they should be purchased for the public use, and appropriated to the office. A particular description of these indexes appears in the return made to the Committee by Mr. Kipling, their keeper, or clerk of the Records at the Rolls Chapel, which is stated in the Appendix to the Report of the Committee, beginning at page 90.

It is understood that in consequence of the Report of the Committee, some negociation was entered into for the purchase of these indexes, which failed by reason of the price then demanded, which is said to have amounted to 5,000 *l.*

Mr. Kipling, late keeper or clerk of the Records, died about two years ago, and I am informed that in consequence of the desire of Mr Kipling, expressed to that effect, as a remuneration for the services of his clerks who had been with him nearly 30 years, the executors of Mr. Kipling have presented these indexes to Mr. Palmer, his principal clerk, to be disposed of by him for the benefit of himself and the other clerks; and Mr. Palmer has stated to me that he is ready to appropriate these indexes to the office, according to the recommendation of the Select Committee of the House of Commons, for a sum of 1,500 *l.*, which appears to me a very moderate demand.

The immediate advantage of the purchase to the public will be, that instead of the large discretionary fee which is imposed for a search in these indexes, and which is the present profit of these indexes, there will be paid only the customary fee of 1 *s.* for the search in each year, and under every letter of the alphabet.

The customary fee was approved and recommended by the Report of the Commission appointed under the Great Seal in 1816, for examining into the emoluments of the officers in and under the Court of Chancery, and other courts of justice.

It is true that the keeper of the Records, who receives the customary fees for the benefit of himself and his clerk, would to some extent be benefited by this purchase, but he is quite willing to renounce that advantage and his own legal fees, and to give those facilities for searches to the public which are noticed in Mr. Kipling's Return to the Select Committee of the House of Commons, and have since been recommended in Mr. Illingworth's statement to the Record Commission, if salaries are provided for himself and his clerks equal to their present legal emoluments.

I am, dear Sir, very faithfully yours,

To C. P. Cooper, Esq., Secretary to the Record Commission.

John Leach, M. R.

— No. 3. —

No. 3.
Hints by Mr. Allen for regulating the distribution of Works.

HINTS by Mr. *Allen*, for regulating the Distributions of Works published by the Board.

1. A broad line of distinction ought to be drawn between the publications of the former Commissions, of which 1,500 or 2,000 copies were printed, and those of the present Commissions, of which 500, or at most 750 copies have been thrown off. It is obvious, that of the former there may be a more extensive distribution at home than of the latter, leaving still a sufficient number of copies for sale, and for public libraries abroad, where for some years the demand for our Record publications has been increasing, and may be expected to increase.

2. There seemed to be two considerations that ought chiefly to be attended to in selecting the libraries at home, to which the Record publications are to be given; viz. 1. The publication of the copy; and, 2. The use likely to be made of it; so far from being incompatible, these two objects will be found in general to go hand in hand. Where a book is wanted it will be preserved with care; where it is not used, it will be neglected and allowed to perish. Innumerable copies of Magna Charta have been sent at different times to the cathedral libraries, where they were not wanted. Very few of them have been preserved, and of those still in existence, several owe their preservation to antiquarian collectors, who bought or purloined them from the places where they were originally deposited. There is but one copy of Domesday. It has been in constant use, and is in as good condition at present as when first transcribed by the Conqueror's orders.

3. Having the first of these considerations in view, it is obvious that no library can have any claim to a gift of the Record publications, unless its permanent existence be secured by a charta-deed of foundation, or some other provision that makes it independent of the caprice and fortuitous support of individuals. If it should be thought advisable to supply

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No. 3.
Hints by Mr. Allen for regulating the distribution of works.

supply with the Record publications any library that could not give that security, it ought to be done by loan, and not by gift, the managers of the library giving a receipt for the books lent to them, and binding themselves and their successors to return to the Record Commission the books with which they had been furnished in case the library under their direction should ever be broken up and dispersed.

4. And taking the other considerations into account it becomes a question, whether any library ought to receive the Record publications, which is not open to the public, or accessible at least to professional and literary men, who may be desirous of consulting them for purposes of use or curiosity. In this view it has been suggested that no library should receive copies of the Record publications, which has not a regular librarian attached to it, with stated hours and days of attendance.

5. Public utility being one of the chief objects for the distribution of these publications, it cannot be necessary to send more than a certain number of copies to the same place. To some places it may be proper to send a greater number of copies than to others; but surely there can be no reason why every college at Oxford and Cambridge should have a separate copy. If the public libraries of the University and some of the principal colleges are supplied, more cannot be wanted for any useful purpose.

6. Twenty copies of every publication are sent at present to different public offices, some of which have no libraries at all, and many have no use or desire for such publications. On this head, as well as on the last, and on the distribution to cathedral libraries, where no access is given to the public, it is conceived that a considerable reduction may be made in the number of copies to be distributed gratuitously.

7. Compilations, such as Cooper on the Public Records, and Ellis on Domesday; and Essays, such as Palgrave on the Ancient Authority of the King's Council, ought not to be distributed gratuitously. They are not records; and if they cannot be sold in sufficient numbers to defray the expenses of publication, they ought not to be printed at the expense of the Record Commission.

8. The same rule should be adopted with regard to Mr. Petrie's collection of works on English History. No copies of that work should be distributed in this country, besides those which are required by Act of Parliament, with the exception perhaps of the libraries of the Lords and Commons.

— No. 4. —

No. 4.
Report of Messrs. Hallam and Petit on Works at Augmentation Office and Tower.

REPORT of Mr. *Hallam* and Mr. *Petit* on the Work carrying on at the Augmentation Office and Record Office in the Tower, under the authority of the Board, 19 February 1835.

We have the honour to report to the Board, that in pursuance to their directions we proceeded to inquire into the progress made in arranging, calendering and repairing the Public Records at the Augmentation Office. We found that since the fire which destroyed the two Houses of Parliament, at which time it was necessary to remove the Records with all possible expedition, they have been examined and arranged in boxes according to the counties to which they relate. Mr. Cole states that the former arrangement was much less regular and convenient for the public. The work of forming adequate calendars of these Records is proceeding, and here again it appears that from the confused and defective manner in which they were formerly entered, it will be necessary to perform anew what ought long since to have been completed once for all.

The Miscellaneous Records in the King's Remembrancer's Office have been partly removed for examination to the Augmentation Office; but the greater portion remain at the Mews. They are immensely numerous, and in complete disorder. Mr. Cole has commenced the task of sorting them, and it appears that among the most miscellaneous documents and papers, some properly belong to his office, while other instruments now in the Augmentation Office should more strictly be under the custody of the King's Remembrancer. It seems of considerable importance that every Record should be transferred to the office where it would naturally be sought; and the principal officer of which is presumed to be responsible for its appearance.

The reparation of Records injured by time, damp, dirt, or other means, is going forward, as it appeared to us successfully, under the superintendence of Mr. Cole, and so far as a short inquiry and observation authorizes us to form a judgment, we hope that the business in the Augmentation Office will be put on a footing convenient to those who have recourse to it for legal evidence, the number of whom, however, though still considerable, has been greatly reduced by the late alterations in the law of tithes.

We next proceeded to the Tower for the purpose of inquiring into the progress made by Mr. Stevenson, in arranging the Miscellaneous Records in that repository. These he informed us were, as far as he could judge, near 60,000 in number. They are of the most truly miscellaneous nature, from charters of Anglo Saxon kings to private letters of the reign of Elizabeth. Mr. Stevenson is preparing, on separate slips of paper short abstracts, or rather extended titles of each document, the basis of catalogues, which must of course be arranged according to the very different contents of these miscellanies. It appears to us highly probable that much of considerable importance to the historian and legal antiquary may be discovered in the course of Mr. Stevenson's labours.

We finally made some inquiries with respect to the excavations recently made, by direction of the Board of Ordnance, under the White Tower, from which Mr. Petrie apprehended

Appendix (G.)

No. 4. Report of Messrs. Hallam and Petit on Works at Augmentation Office and Tower.

some possible danger to that building. It appears that in consequence of his remonstrance to the Board of Works, their surveyor has viewed the place, and the operation of excavating a passage for stores, which had gone on for some time, has been suspended. It is of course impossible for us to pronounce an opinion on a subject of this kind; but the foundations of the White Tower did seem to be so far hollowed out, as to make Mr. Petrie's solicitude not unreasonable. Mr. Petrie complained also that some outhouses, not of the pleasantest description, had been erected, to the inconvenience of the Wakefield Tower, in which his own business is carried on.

We have the honour to be, &c. &c. &c.

Louis Hayes Petit.
Henry Hallam.

— No. 5. —

No. 5. Report of the Bishop of Llandaff and Mr. Protheroe on accuracy of Parliamentary Returns

REPORT of the Committee appointed January 27th 1836, to examine and compare the Ledger and Petty Cash Book Accounts with the Returns made to Parliament of Income and Expenditure, from March 1831 to March 1833.

We having examined the ledger and the petty cash book, and having compared the results both of income and expenditure, from March 1831 to March 1833, with the return made to Parliament for the same period, find that they agree in the gross amount, although there are some discrepancies in items of minor importance, as for instance, in the article of books, charged at 497 *l.* 6 *s.* in the Parliamentary Returns; whereas the aggregate of booksellers' bills, in the ledger alone, is 714 *l.* 16 *s.* 6 *d.*, besides 77 *l.* 13 *s.* 6 *d.* charged for books in the petty cash account.

But as there appears to be not the slightest ground for supposing that any part of the public money has been misapplied or lost, we are of opinion that it would not be worth while to investigate the whole of those accounts, for the mere purpose of explaining how these discrepancies arose, it being clear, that if too much has been charged under one head, too little has been charged under another.

At the same time we are satisfied that from the improved method of keeping the accounts now directed to be observed, such inaccuracies are not likely to occur in future.

E. Llandaff.
3 January 1836. *Edward Protheroe.*

OBSERVATIONS on the Document* produced by Mr. *Cooper* to the Committee appointed by the Board, 27 January 1836.

Since signing the annexed Report the undersigned Commissioner has received from the Bishop of Llandaff a paper, purporting to be an explanation of discrepancies to which they had distinctly alluded.

The undersigned Commissioner is quite uncertain whether he is to understand that the note contained in this document appears in the Returns to Parliament, of which the former part of the document is an extract; or whether it is a note written solely for the information of this Committee.

If it appears in the Returns which have been last made, and which have been, he believes, for some weeks at the Treasury, he has to complain of the unnecessary trouble which the secretary has given not only him, but the Bishop of Llandaff, by not having mentioned at the Board, when the Committee was appointed, the fact of his having acknowledged and remarked in his last communication to the Treasury, the alleged errors in the former Returns; the Committee having been appointed with instructions to do nothing more than investigate this one point.

If the note was written solely for the use of the Committee, he begs to call the attention of the Board to this fact, that the two Returns to Parliament, that printed February 1834, and those made in this present year, do not agree in their statements.

The item may be thought of trifling importance, but the fact seems worthy of notice, since this is a difference about the only item which has been examined; and the last Returns have not been sanctioned by the Board, nor ever seen by any Commissioner.

The undersigned Commissioner has no desire to criticise with severity, either the Returns or the reasons here given for their inaccuracy; but as he was forward in professing a belief in the probability of his being himself in error, he can scarcely be expected to refrain from observing, that the differences discovered and these subsequent acknowledgements, show that the Returns were reasonably not satisfactory to him.

With reference to the reasons assigned, it appears that the accountant, whoever he was, was unacquainted with the nature of the accounts, and that his calculations were not corrected by any person competent to direct him.

This remark will apply equally to the two first reasons. There was nothing in the entry-sheet for catalogue of the King's Library, 32 *l.*, which should lead to the omission of this item more than of any other book.

The extracts made by the undersigned Commissioner of books charged in the petty cash book, do not amount to above 84 *l.*, but if they exceed 100 *l.*, this is only a further proof of the incompetency of the accountant.

With

* Note to item of books in Parliamentary Return, presented February 1836, *vide* p. 772, *ante*.

With reference to the third reason, which is to account for 172 *l.* 10 *s.*, he can only remark, as no bills are produced, that he feels prepared to admit it, on the word of the secretary, observing however that the transfer of books to the British Museum cannot properly account for any error, as the books were given, and not sold to that institution.

On the three reasons he has to observe, generally, that he thinks they would not be admissible in affairs which were conducted with the accuracy observed in the transactions of commerce or of government, but that every allowance must be made for the effects of a system which has been condemned as bad, and which is now to be changed for a good one.

With reference to the inquiry of the Committee, he thinks it due to the Board to state that it has been conducted in the most liberal and confiding spirit towards the secretary, inasmuch as their investigation has been limited to the gross amounts, and not pursued through the petty cash book, so as to ascertain the disbursements of the sum of * 682 *l.* which remains for miscellaneous expenditure, after deducting all charges for books.

2 February 1836. *Edward Protheroe*, jun.

* The annexed Paper explains this statement.

An Additional Note with reference to the Report of this Committee, which Mr. *Protheroe* informed the Bishop of Llandaff he should append to their Joint Report.

The undersigned Commissioner, on the first meeting of the Committee, observed with great surprise that the instructions did not embrace the only object to which he was anxious the attention of the Committee should be directed; which was the formation of an analysis of the past expenditure of the Commission, on the system proposed for the classification of the future disbursements by a committee, of which he was a member, and which has been since sanctioned by the Board.

It was necessary for the undersigned Commissioner to state why the returns were not satisfactory to him, as the secretary had asserted their sufficiency, and it was certainly desirable that they should undergo an examination, as he had impugned their accuracy, but to this limited and almost personal question his wishes were not ever confined.

His object has always been to obtain such a document as would enable the Commissioners, both individually and collectively, to judge of the administration of their affairs.

He submits to the Board respectfully, that the Commissioners have not even the advantage of possessing any document prepared for Parliament, which shows them faithfully or clearly the appropriation of the Parliamentary grants.

The only abstracts which have been made are these returns, now acknowledged not to be accurate, and a statement in the Agenda of June 3, 1833.

These, it will be seen by comparison, do not agree in several important items.

The Returns are such as the undersigned commissioner would, had he been in Parliament, have refused to accept, because they do not exhibit a clear account of the expenditure, and they are, for the same reason, useless to the Board. The last Returns have not been submitted to the Board, nor have they been examined by any commissioner acquainted with the accounts.

The absence of such an analysis as the undersigned Commissioner desires, precludes the possibility of the Board, or the Commissioners individually, expressing with confidence any opinion on the conduct of their affairs.

They know not the sums expended on foreign collections, and are ignorant of the stock they have acquired, or its value. The very uses to which they are applied are equally unknown to them.

The same remark applies to books, of the mere titles of which they have no account submitted to them, and which are purchased and parted with, both transactions being alike unknown to the Board.

Of the extent of the miscellaneous expenditure, or of the secretary's establishment, no unimportant items, there are no documents to give them any knowledge.

Of the expense of printing and publishing their books, they have no detailed account, enabling them either to commend economy or correct extravagance.

And, finally, as no account is rendered of the sums paid to gentlemen engaged as editors, or employed in the arrangement of Records, they are actually incapable of forming a judgment on the comparative deserts and merits of any one person employed under their authority.

2 February 1836. *Edward Protheroe*, jun.

To be read at the next Board, after the joint Report from the Lord Bishop of Llandaff and Mr. Protheroe.

E. P.

PAPER annexed to Mr. *Protheroe*'s Note.

	£.	s.	d.
Books charged in the ledger - - - - - - - -	704	16	–
Ditto - - ditto Petty Cash-book - - - - -	82	10	–
Total, according to Mr. Protheroe's calculation - - -	787	6	–
Deduct charged in Returns - - - - - - - -	497	6	–
Difference to be accounted for - - - - - £.	290	–	–

Appendix (G.)

No. 5.
Report of the Bishop of Llandaff and Mr. Protheroe on accuracy of Parliamentary Returns.

	£.	s.	d.
Miscellaneous head, inclusive of Books, Parl. Returns, 1833 -	363	15	10
	290	–	–
Remains for other Sundries - - - - - - - -	73	15	10
Add the other Miscellaneous Head in the same Parl. Returns -	608	13	2
Remains for the Miscellaneous Expenditure, from 1831 to 1833, March - - - - - - - - £.	682	9	–

E. P.

Charged for Books in 1836 - - - - - - - -	774	17	3
Ditto - - - in 1832 - - - - - - - -	497	6	–
£.	1,272	3	3
Which deducted from the Sum said to be expended - -	1,576	13	3
Leaves a difference to be accounted for - - - -	304	10	–
£. 32 Account for Catalogue King's Library £. 100 Petty Cash-books - - - - - - - -	132	–	–
£. 132 £.	172	10	–

To be accounted for by charges of Books for Parliament, of which no vouchers, &c. are produced.

E. P.

— No. 6. —

Mr. *Protheroe*'s Notices for the Board, on 23d November 1833.

No. 6.

Mr. Protheroe's Notices for the Board, on 23 Nov. 1833.

It will be seen that Mr. Protheroe has requested that the ensuing letter may be inserted in the "Agenda;" but no "Agenda" having been prepared for the ensuing Board, the Secretary has adopted this mode of communicating the abovementioned letter and notices to the Commissioners.

Nov. 1833.

"My dear Sir,

When Mr. Allen, Mr. Hallam and I were appointed auditors of the accounts of the Commission, I expected to find not only a chronological series of bills, payments and entries, such as we examined, but also a brief analysis of the expenditure, from the appointment of the Commission to that period, or that the result of our examination would have been the production of such a paper, written by us, or at our direction. Unavoidable absence from Boards subsequently held, has alone prevented me from proposing that such a statement should be made, and so hereafter annually submitted to the Board, and subsequently verified by the auditors when they audit the accounts. The document I desire is scarcely, if in any degree, more specific in its details than the account usually appended to the estimate given to the House of Commons for the expenses of the British Museum.

I now send you a notice to this effect, which I request you to have inserted in the Agenda for the next Board, together with this letter, should you doubt the expediency of this proposal; the other notices on other matters I beg may be also given.

I should have thought there was something much too formal and serious in this notice and application, upon what appears to me merely a common every-day act of business; and I should have avoided making it, had I not reason to think you disapprove of the production of the information, or doubt whether a Commissioner be not overstepping the limits of his duty in requiring it.

I am well aware that the next Board is summoned for the special purpose of allowing Mr. Allen and myself an opportunity of submitting to the other Commissioners a question relative to Sir F. Palgrave and Mr. Petrie; but as no one can limit the Board to any precise business for a particular day, I am anxious to take the chance of our finding time for discussing other matters.

I remain, my dear Sir, very faithfully yours,

C. P. Cooper, Esq. *E. Protheroe*, jun.

I.—To direct the attention of the Board to the following passage in the Royal Commission:—"And also to make full and diligent inquiry into the duties of the several officers, clerks and other ministers having the care and custody or management of the Public Records, &c."—page 8 of the 8vo. edition.

II.—1. A general account of the expenditure of the Commission in each year, distinguishing the sums paid for editorship, stating salaries separately from payments for piecework, transcription, purchase of books, binding and repairing MSS., &c., and a balance, with the receipts.

2. A synoptical

2. A synoptical view of the work done under the Commission, giving the names of all persons employed as editors and transcribers, their salaries, payments made to them, and terms of engagement and rate of remuneration.

3. A quarterly report of the progress made in the various works, similar to that made by Sir F. Palgrave, and hitherto by Mr. Caley; and the same from all Record officers employed in making indexes and arranging the Records in their offices respectively.

4. Estimate of works completed, cost, &c., and of works in progress or proposed.

III.—Mr. Caley's salary, and his nominal superintendence.

IV.—Appointment of a responsible person as superintendent of the cleansing and arrangement of the Records of the Exchequer, those at the Rolls, Chapter House and Augmentation Office, who shall, as Mr. Caley has done heretofore, make a quarterly report to the Board.

V.—An estimate of the expense of having a calendar made of the wills in the Prerogative Court of Canterbury, and published.

This estimate cannot be made unless some person be appointed by the Board to form such a calendar, to the extent of six or seven sheets, from the wills in that office. The specimens given in the Agenda were formed from wills in other ecclesiastical courts, where no jealousy exists of a free examination of wills. A person who has been recommended as qualified for this work is Mr. Courthope, who has been employed by gentlemen of the Herald's College in making searches among these Records, and particularly by Mr. Young, from whose pen some of the articles in the Agenda upon this subject have proceeded. It is submitted, that the individual to whom such a task shall be entrusted, should be experienced in Records of this nature, but strictly confined to the making a calendar.

VI.—Inquiry as to the future 'Agenda.'"

Appendix (G.)

No. 6.

Mr. Protheroe's Notices for the Board, on 23 No. 1833.

Appendix (H.)

RETURNS AND COMMUNICATIONS FROM SUB-COMMISSIONERS.

— No. 1. —

ANNUAL REPORT of Mr. *Petrie*, respecting the Works at the Tower, from March 1834 to March 1835.

Appendix (H.)

No. 1.

Annual Report of Mr. Petrie respecting Works at the Tower, 1834-35.

A REPORT of the several works performed in the Record Office at the Tower, under the direction of the keeper of the records, as supervisor of the work of digesting and putting in order the records within the Tower of London, between the 2d of March 1834 and the 1st of March 1835.

The keeper of the records has to report, That progress continues to be made in filling up and completing the calendar to the Charter Rolls;

In forming a complete calendar to the Patent Rolls;

In making a calendar to the Fine Rolls; and

In the reparation and improved arrangement of the Inquisitions.

The keeper of the records thinks it right also to state, for the information of His Majesty's Commissioners on Public Records, that certain works, under the direction of the Board of Ordnance, having been begun in and near the White Tower, which appeared likely to affect the safety of His Majesty's records deposited therein, he has requested of His Majesty's Commissioners for Woods and Forests that they would cause the said works, so far as they might be connected with the safety of his charge, to be fully examined; but he has not yet been made acquainted with the result of such examinations.

All which is submitted to His Majesty's Commissioners on Public Records.

Henry Petrie,
Keeper of the Records at the Tower.

Record Office, Tower,
17 April 1835.

— No. 2. —

No. 2.

Transcription and Publication of Records at the Tower.

Sir, Record Office, Tower, 6 March 1836.

IN compliance with the tenor of your note of Thursday last, I subjoin a list of such communications from the Secretary to the Record Commission, relating to the transcription and publication of records in my custody, as have thus far occurred.

I have the honour to remain, Sir,
Your obedient and humble servant,
Henry Petrie.

Charles Buller, Esq., M. P.,
Chairman of the Committee on the Record Commission.

A LIST of COMMUNICATIONS received from the Secretary to the Record Commission, relating to the Transcription and Publication of Records at the Tower.

1832: May 7.—Letter from Secretary. His Majesty's Commissioners on Public Records have given directions to Mr. Hardy to transcribe early Close Rolls.

Appendix (H.)

No. 2.
Transcription and Publication of Records at the Tower.

1833: March 13.—Letter from Secretary. Sir F. Palgrave employed on Foreign State Papers, &c. Pipe Rolls at Tower to be printed. Copy of order of Board for Sir F. Palgrave, as above.

March 22.—Letter from Secretary, and copy of order for Sir F. Palgrave to make calendars to the Miscellaneous Records. Copy of order for printing Pipe Rolls.

April 16.—Letter from Secretary, and copy of order. Mr. C. Roberts employed on Inquis. P. Mort.

August 28.—Letter from Secretary. Mr. Hardy to collate certain instruments in the Fœdera, and to prepare a list of additional matter for that work.

1834: June 5.—Letter from Secretary. Secretary to take steps for continuing the calendaring of Miscellaneous Records.

June 6.—Letter from Secretary. Mr. Hardy to transcribe, and send to press the earliest part of each series of Rolls.

June 11.—Wrote to Secretary for copy of order relating to Mr. Hardy.

July 6.—Letter from Secretary, and copy of order relating to Mr. Hardy.

August 7.—Letter from Secretary. Mr. Stevenson authorised to continue the collection of materials for the new edition of the Fœdera.

— No. 3. —

COPIES of Mr. *Stevenson*'s Reports of Works performed by himself and Clerks at the Record Office, Tower, from September 1834 to December 1835.

No. 3.
Mr. Stevenson's Reports.

In framing this my first quarterly Report relative to the catalogue of the miscellaneous documents in the Tower, the preparation of which the Honourable Board of Commissioners for Public Records have done me the honour to commit to my care, I shall endeavour, in the first place, to convey some general idea of the nature and extent of these documents; in the next, to state the system upon which I have hitherto proceeded; and shall then attempt to form some estimate of the time which such an undertaking will demand.

The slightest acquaintance with the nature and number of the miscellaneous documents in the Tower is enough to show that they have not hitherto met with the attention which they deserve. Although Prynne has frequently cited records of this class, which he "rescued as well from dust and putrefaction as oblivion," and speaks of "bundles of writs and records long interred in dust and cobwebs in a confused heap in the White Tower;" although Rymer and his editors have printed many exceedingly curious articles, "ex orig. in Turre," "e bundela litterarum," "e bundela litterarum et brevium," "e nova bundela in Turre Lond.," or, "ex orig. in Turre Lond. in lib. cui ti. Littera Regum," references which it is thought would have excited the curiosity, and stimulated the exertions of those who had access to that repository, so little was done until a comparatively recent period, that in 1812 it was announced that the heap of unsorted records had been begun to be examined. Since that period they have been placed in bundles, portfolios, boxes and bags, and it is now stated that there are no longer any "unsorted" documents in the Tower.

It is impossible to conceive a more miscellaneous collection than that now under consideration: it embraces instruments of all classes, subjects, and ages. In the present early stage of my researches, I do not venture to enter into detail, (although it might be easy to do so to a certain extent, from the notes which I have made from time to time,) yet for the purpose of giving an outline of their general character, I subjoin to this paper a brief table of contents.

This Table will also convey some idea of their extent, but a very imperfect one. The term "box," "basket," &c., is so indefinite, that no estimate of the number of instruments which it may probably contain can be formed previous to examination. The bundles vary in size: those of the Privy Seals of Edward I., upon an average, consist of 250 instruments; but a file of writs, "de custod pacis," contained above 1,100. The same remark applies with greater force to the boxes: one of those consisting of the early correspondence, decidedly the most curious portion of documents which has hitherto come under my observation, contained above 2,000 letters.

II. Previous to the formation of a catalogue of these instruments, it was determined to affix some press-mark upon each of the bundles, &c. into which they are at present divided, and then to number the contents of each bundle, so that reference from the description of any individual document to the original thereof might hereafter be easy and certain. It is obvious that such a process was necessary *in limine*, and it is to be regretted that it was not long since adopted, for its absence prevents the immediate recognition of any of the documents printed by Prynne or Rymer.

Two modes of proceeding then seemed to present themselves in regard to arrangement. The first was that the catalogue should follow the order in which the documents are already placed in their present repository, that I should begin with the first bundle upon the list, and go through its contents without viewing them in connexion with what might follow. The advantages which would arise from such a plan are the following: it would shorten the labour; it would obviate the necessity of all arrangement on my part; it would preclude investigation into the dates of undated instruments, and would enable me in a short time to send a portion of my work to press. On the other hand, I am aware that the result would be a confused mass of matter equally destitute of classification and chronology, by no means calculated to satisfy those who might consult it, or to reflect credit upon its compiler. I therefore came to the resolution of adopting a more satisfactory, though more laborious

system

system. I have arranged my description of each document according to the date of the original, inserting as nearly as I could from internal evidence, or from a comparison with other authorities, undated instruments in their proper order. The advantages of such a chronological plan will in my opinion more than counterbalance the additional time and labour which it necessarily involves. I have already had proof of its utility, inasmuch as documents relative to the same event have been found in two, three or four bundles, but the descriptions being brought into a connected view, will exhibit to the reader at one glance all the information which he can expect from the work before him. It has been my constant object to extract and to incorporate in my catalogue as much of the subject-matter of the instrument described as could possibly be done in a work of this character. For instance, in letters I have given the full designation of the writer, of the individual addressed, a brief abstract of the information conveyed, and the place and period of the date. In charters I have mentioned the reasons, if any, in consequence of which the grant was made, have specified the lands granted, the names of their former possessors, the manner in which they came into the hands of the grantor, the limitation, the tenure, the rent, and the witnesses' names. A similar plan has been preserved throughout other instruments, modified of course according to the nature or importance of these instruments, but constantly tending to the preservation of as many names of persons and of places, and of as much historical, topographical, genealogical or general information as could be legitimately inserted in a catalogue. The phraseology of the original has always been preserved in the description, omitting however all unnecessary repetitions, and making such slight grammatical changes as the change of form demanded. I have deviated from this plan in regard to such instruments as I have ascertained to be printed, giving in that case the shortest possible description, and referring to the work where it may be seen entire. Where a roll, &c. has an original title, or heading or endorsement, I have given it between inverted commas, but have added such fuller description as seemed necessary for the preservation of uniformity of plan.

III. The length of time which will be required for the completion of such a work is the next object of inquiry. This will depend much upon the assistance which the Board may be inclined to allow me. At present I have two clerks, both learners; one has been with me for a few months, the other is not sufficiently acquainted with early writing to render me any essential service. The consequence is, that although a considerable portion of my time is (and still more has been) expended in communicating information, and in correcting the papers brought to me, I find that a large proportion of the work done has been done by myself. Allowing that no further aid is granted me, and that no alteration takes place in the present system, I apprehend that between seven and eight years will elapse before I can calculate upon terminating my task. I would suggest, however, that my time would be employed with more advantage to the Commission if I had only to superintend the labours of others; that is, if I had as many clerks as would supply matter, the correction of which would occupy all my time. If this were the case, I think the period would be reduced to five years. At the same time, I respectfully, but earnestly, urge the necessity of being authorized to employ some one to work at my own house in the evening under my directions upon the papers already accumulated. There is much to be done which neither can be done, nor should be done at the Tower, where there are none of the necessary books of reference, and where time is too valuable, and which should yet be done under my own constant inspection and directions. This cannot be commenced too soon with the papers already upon hand, for it is obvious that the proper and available arrangement of a mass of dated instruments is the surest and shortest method of arriving at the chronological position of those which are without date. The assistance thus solicited could be gained at the rate of 50 *l.* or 60 *l.* per annum, and if instructed at present to do so, I believe I could secure the services of a competent individual at that rate of remuneration.

25th Dec. 1834. *Jos. Stevenson.*

TABLE of the Miscellaneous Documents in the Tower.

Privy Seals:	
Edward I.	25 bundles.
Edward II.	31 ditto.
Edward III.	91 ditto.
Richard II.	22 ditto.
Henry IV.	33 ditto.
Henry V.	11 ditto.
Henry VI.	59 ditto.
Edward IV.	29 ditto.
Richard III.	5 ditto.
Essoine Rolls, Henry III., Edw. II.	117 rolls.
County Placita, Richard II., Henry VI.	20 bundles.
Subsidy Rolls, Edward III., Elizabeth	16 rolls.
Papers relative to the Tower	1 box.
Miscellaneous Writs, Charters, Letters, &c. &c.	14 bundles.
Private Papers, Letters, Parliamentary documents	3 caskets.
Forest claims	13 bundles.
Rotuli Hundredorum	67 rolls.
De libertatibus Hundredorum	1 bundle.
Parliamentary and State Rolls	1 ditto.

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No. 3.
Mr. Stevenson's Reports.

Petitions to the King and Council:	
Edward I.	6 bundles.
Edward II.	12 ditto.
Edward III.	5 ditto.
Richard II.	16 ditto.
Henry IV.	6 ditto.
Henry V.	4 ditto.
Henry VI.	27 ditto.
Edward IV.	10 ditto.
Edward I., Edward IV.	16 portfolios.
Ditto - - ditto	66 bundles.
Ditto - - ditto	3 boxes.
County Placita	26 portfolios.
Miscellaneous	8 ditto.
Placita coram Justiciariis Itinerantibus	23 bundles.
Ditto ditto Rege	16 ditto.
Ditto de Banco	27 ditto.
Ditto ditto (Edw. I.)	14 ditto.
Ditto ditto (Edw. II.)	13 ditto.
County Placita	24 ditto.
Miscellaneous documents, 39 Hen. III. to Cha. II.	272 ditto.
Litteræ Regum, etc.	11 volumes.
Papal Bulls, Innocent III. to Gregory IX.	170 ditto.
State Papers	16 bundles.
Ditto	18 parcels.
Ditto	9 boxes.

Miscellaneous Rolls:	
Henry III.	20 rolls.
Edward I.	95 ditto.
Edward II.	45 ditto.
Edward III.	69 ditto.
Richard II.	17 ditto.
Henry IV.	11 ditto.
Henry V.	4 ditto.
Henry VI.	29 ditto.
Edward IV.	9 ditto.
Henry VII.	5 ditto.
Henry VIII	13 ditto.
Edward VI.	1 ditto.
Elizabeth	2 ditto.
Charles II.	1 ditto.
Appendix	7 ditto.
Pipe Rolls, Homage Rolls, Wardrobe Accounts, &c.	10 ditto.

Sir, Record Office, Tower, 25 March 1835.

The period which has elapsed since I last had the honour to lay before you, as secretary to the Record Commission, a report of my operations at the Tower has been employed in carrying into effect, upon the earliest portion of the miscellaneous documents there, the plan of which a sketch has formerly been submitted for approval. The experience which I have now gained of the advantages of that plan, authorizes me to state that I have every reason to be satisfied with its practicability, and that its results will be equal to what I anticipated.

The documents which have chiefly occupied my attention are the Privy Seals, a series of mandates addressed in most instances to the Chancellor by the King, ordering the preparation of letters patent, close, or charters; a few are found addressed to the Barons of the Exchequer, or to some other official agents of the Crown, the occurrence of which can be accounted for. At the commencement of this period, when the Chancellor discharged the duties of secretary for Home and Foreign department, and the busy and wandering life of the Sovereign frequently prevented the possibility of verbal instructions, even upon the most minute particular, it is obvious that information of almost every description must be found here recorded, and such is the case. It must be conceded that their value is in most cases rendered negative by the enrolment of the writ originating from them, in the preambles to which we sometimes have information not inserted in the Privy Seal, but which has been introduced by the Chancellor for the better elucidation of the case to which the writ may refer. There are, however, many exceptions in which the Privy Seal claims the superiority; for instance, amongst them we have drafts of letters to foreign powers, whereas on the roll we have reason to expect only the fair copy as transmitted; we have letters advising the Chancellor upon an emergency to execute certain commissions, which was done without the preparation of any ulterior warrant, and of which there are no traces on the roll; we have private and confidential communications from the King to the Chancellor. From these new information is to be gathered, and it is therefore obvious that a judicious selection from this class of documents will be worthy of a place in a future continuation of the Fœdera.

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Mr. Stevenson's Reports.

Original documents of various classes are frequently found attached to Privy Seals, being transmitted to the Chancellor that he might the better understand or enforce the mandate with which they were connected; hence we find petitions, inquisitions, proclamations, &c. &c. where we might not at first be inclined to expect them. For instance, the document printed by Rymer, 1 Fœd. 881. entitled "De treugis per Regem Angliæ prorogatis et nominatis confœderatorum" is in a bundle of Privy Seals, and the same bundle supplies us with letters patent, in which the King notifies his agreement to a treaty of commercial intercourse with Portugal.

Rymer and his editors appear to have paid very little attention to this series of documents, the first volume of the Fœdera containing only three writs under the Privy Seals. It is rather singular that of these three not one is now to be found in the bundle allotted to the year to which they belong. In some future report, when the investigation has been further pursued, I shall offer a few remarks upon the instances which present themselves of documents having been mislaid since the days of Prynne.

In my progress through the Privy Seals of Edward I., I have incorporated at the periods to which they respectively belong such other bundles of documents and rolls of which the dates are indicated in the Tower calendar, or have been ascertained by my own investigation. I am inclined to think that by thus making the most numerous class of instruments belonging to one reign the groundwork of the calendar for that reign, and by incorporating in succession the contemporaneous instruments of whatever description, I adopt a plan preferable to confining myself solely to the Privy Seals, unconnected with any other class of records. By thus confining the attention within a narrow period, the memory becomes more familiar with the varied events which occurred within its limits; and the accumulation of dated instruments bearing upon a circumscribed era, renders the location of undated ones a matter of comparative facility.—I have the honour to be, Sir, your obedient servant,

C. P. Cooper, Esq. *Jos. Stevenson.*
Sec. Com. Public Records.

Sir, Record Office, Tower, 25 June 1835.

I HAVE the honour to lay before you in this my third quarterly Report a statement of my proceedings at the Tower since the 25th of March last.

In consequence of having pursued the same plan, and having employed myself in analyzing for the most part the same description of documents as were mentioned in my last two quarterly Reports, I have but little to add to the statements therein contained. It is gratifying for me to be able to say, that nothing has occurred to show me that the plan hitherto pursued is less valuable or less practicable than when it was first put into execution; on the contrary, I may state that matured experience convinces me more and more of its utility. The writs of Privy Seal, as hitherto, are made the groundwork of the catalogue, and amongst these are incorporated the less numerous classes of documents of every description. During the quarter now terminated I have examined a small portion of the County Placita, chiefly for the purpose of estimating the length of time which they will ultimately demand from me. Of these a publication and some progress seems to have been made prior to March 1807, and in March 1808 it is stated in the General Report that this work has been executed for 21 counties, and that 11 only remain to be done. This calendar, extending to the end of "Norfolk," has been transcribed under my directions, and has been, in part, examined with the originals. Mr. Illingworth's plan did not permit him to enter into that detail which, to me, seems necessary, and consequently less advantage has been derived from his labours than might, at first, be anticipated. In his catalogue he confines each separate suit, however elaborate, to one single entry; he does not notice the different steps through which it passed, although each of these steps may be attended by different circumstances, and under a different date. But the system which is now pursued demands a separate article in the catalogue for each distinct instrument, and each charter, &c. which may be recited is analyzed. In consequence of this alteration in the plan, the 35 articles in which the Placita for the county of Bedford were dismissed have been extended to 105.

I take advantage of this appropriate opportunity again to invite your attention to a subject which the limited funds of the Commission only prevented from receiving your approbation when last I had the honour of mentioning it. I refer to the long anticipated publication of the early foreign and domestic correspondence preserved in this repository, forming, in my humble opinion, by far the most valuable portion of the miscellaneous documents. The greater part of these letters are already transcribed for the press, by Sir Francis Palgrave and Mr. Hardy; a month would probably be sufficient to complete the series, and they might be arranged and prepared for the printer without much time or difficulty. The cost of copying having been already incurred, there is no work which could be produced with so little outlay to the Commission, and from its nature, there are few works which would possess a more widely-diffused interest, or be a more valuable addition to early historical literature. As it has been hitherto delayed solely on account of the low state of the funds of the Record Commission, I may venture to express the hope that upon the receipt of the grant for the present year the publication of these volumes may be ordered.

I do not bring forward the subject of the necessity of having further assistance in carrying on the work entrusted to my care, knowing that I shall be provided with the necessary permission to secure it whenever such permission can be granted.

I have the honour to report that since the analysis was commenced the progress made has been as follows:

Privy Seals - -	3,850	Miscellanies - -	2,600

C. P. Cooper, Esq. I am, Sir, your obedient servant,
Sec. Com. Public Records, &c. &c. *Jos. Stevenson.*

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No 3.
Mr. Stevenson's Reports.

Sir, Record Office, Tower, 30 June 1835.

I have the honour to lay before you the following observations, originating in verbal instructions communicated by you to me, upon the 25th instant.

I am directed, in the first place, to state the reasons which induce me to recommend the publication of the foreign and domestic correspondence preserved in the Tower. They are briefly as follows:

A conviction of its value. Any illustrations of this point seem at present unnecessary, the superiority of confidential correspondence over every other species of evidence being universally admitted, and the peculiar nature and importance of this collection having been already brought before the notice of His Majesty's Commissioners by Mr. Lysons, Sir Francis Palgrave and Mr. Hardy.

The facility and economy with which this work might be published. Five volumes in folio of transcripts have already been made by Sir Francis Palgrave and Mr. Hardy, illustrative chiefly of the period between Henry III. and Edward III. Of these about one-half have been corrected for the press, so that arrangement, collation, and a few annotations would soon render these fit for the printer. Their publication would, moreover, materially abridge the catalogue of the miscellaneous documents, of which these letters, if unprinted, would, from their importance, constitute a prominent feature.

The extent which this collection would attain naturally depends upon the period within which its contents are to be limited. The letters already transcribed, together with those in the Tower, and the very few in the Museum, which are necessary for the completion of the series to the end of the reign of Edward III., might easily be included within two volumes in octavo. But should the publication be carried down to the end of the reign of Richard III., when this class of the Tower records ends, other two volumes would at least be necessary.

The series would be made more complete, and consequently more valuable, were the connected portion of the correspondence preserved on the Close Rolls (such, I mean, as are not to be printed entire) inserted in its appropriate place.

Should His Majesty's Commissioners be pleased to direct the publication of this work, it is of importance that instructions should be given whether it should contain those letters relative solely to English ecclesiastical affairs, and whether a subdivision into counties or one general chronological series should be adopted in the arrangements of its contents.

I am directed, in the second place, to lay before you in writing the request, verbally urged, of being permitted to engage further assistance in the prosecution of my labours at the Tower. I beg leave to remind you that the work upon which I am employed is one of considerable magnitude; that knowing that His Majesty's Commissioners are anxious for its completion, I have undertaken to finish it within the least possible time; that I am authorized at present to employ only one assistant, although my estimate of the period within which my catalogue was to be produced was made when four clerks were allowed me, and before any change in that number was anticipated; and that much of my time is now given to the duties of a copying-clerk, instead of being confined to the correction of the labour of others. I therefore respectfully but earnestly solicit permission to engage three other assistants, that by having the advantages formerly enjoyed, I may again be in a situation to carry on my work at the rate which the calculation before mentioned renders necessary. I have to report, that finding I had not made sufficient progress in my collections, I did not avail myself of the permission formerly granted of engaging an assistant in the evening, but that it is my intention to do so in the commencement of the autumn.

I have the honour to be, Sir, your obedient servant,

C. P. Cooper, Esq. *Jos. Stevenson.*
Sec. Com. Publ. Rec., &c. &c.

Sir, Record Office, Tower, 21 September 1835.

I HAVE the honour to report, that during the quarter expiring this day, I have been employed in carrying into effect the instructions which I received from you relative to the transcription of the foreign and domestic correspondence in the Tower. It is gratifying for me to be able to repeat the sentiments which I formerly expressed as to the curiosity and value of this class of the records, and to state that I still believe that its publication will be an acceptable addition to our historical literature. The documents contained in the "Letter Box" are nearly all transcribed, and that portion of the work will probably be terminated in six weeks; but the work must not then be supposed to be finished, numerous letters being scattered through bundles of records, in which, at first sight, their occurrence would not be anticipated. The bundles of Privy Seals are an instance, letters being frequently sent to the Chancellor with a writ, ordering him to direct his attention to the subject, and the most curious portion of the correspondence of the reign of Edward the Second is derived from this source. Upon this point I have to report, that the bundles of Privy Seals to the commencement of the reign of Edward the Third have been examined, and that the letters which they contain have been transcribed and collated.

In regard to future operations, I beg leave to state, that it is my intention, after having exhausted the contents of the "Letter Box," to glean from the bundles of Privy Seals, and such other sources, all documents connected with this subject, to go through the Close Rolls, from the commencement of the reign of Edward the First, and then to levy contributions from the Cottonian and Harleian collections of manuscripts and charters. After this is done, it is my earnest wish to be authorized to extend my search to the Chapter House and other Record Offices, for it is obvious that the value of such a collection increases with its completeness, and that a series of isolated papers, however curious they may be individually, is vastly

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No. 3.
Mr. Stevenson's Reports.

vastly inferior to one in which the succession of documents is so connected that each receives illustration from its neighbour. But in this I shall not venture to take any steps without receiving your approbation and instructions.

I have to mention another subject connected with my operations in this office, although one of very inferior moment; it is, that the correspondence is at present kept in a large box, without the least arrangement, either chronologically, numerically, or according to subjects, consequently when any letter is wanted the whole mass must be examined. Unless directed by you to the contrary, I shall in the course of a few weeks direct one of my clerks to restore them to the volumes in which they were formerly kept, placing them according to reigns, and numbering the contents of each volume, for some such arrangement must be made before they are printed.

It only remains to state, that the assistant whom I am allowed to employ during the evening is proceeding with the arrangement of what has already been done at this office.

I have the honour to be, Sir, your humble servant,

C. P. Cooper, Esq. *Jos. Stevenson.*
Sec. Com. Publc Records, &c. &c.

Sir, London, 25 December 1835.

I HAVE the honour to inform you, as secretary to the Record Commission, of my proceedings at the Tower during the quarter now terminated.

My operations, as hitherto, have been chiefly directed to the transcription of the ancient correspondence. This class of the miscellaneous documents has been found so far to exceed the numbers at which it was at first computed, that there seems reason to believe that it would furnish materials for at least two, perhaps even three, octavo volumes, equal in bulk to the Proceedings of Privy Council. The letters transcribed from the repository called "The Letter Box," since the date of my last Report, amount to a few beyond 900, to which have been added 286 transcripts of a similar nature selected from the bundles of Privy Seals. It would give me great satisfaction to be able to state the number of letters yet unexamined, that thereby some idea of the length of time necessary for the completion of the work might be formed; but I regret that this cannot be done, partly because the instruments are dispersed through numerous unexplored bundles, partly because the class of documents styled "Ancient Correspondence" is so arranged in books, drawers, &c., that I cannot easily have a general view of its extent. I therefore beg leave to refrain from passing any opinion upon this point, for the calculations which I have already ventured to form upon the subject have been erroneous.

It may be enough to state, that the general abstract of the miscellaneous documents has been continued upon the same plan as heretofore, and that during the quarter now expired 1,550 instruments have been analyzed. These consist for the most part of writs during the reign of Edward I., a few, however, of a prior date have been included.

Since it was found difficult to decide the reign to which many of these documents are to be ascribed, the utility of an itinerary of Edward I. became obvious, for by its aid it would be easy to decide whether an instrument with the clause "Teste rege apud . . . ." or "Teste meipso apud . . . ." was to be ascribed to that Sovereign. This work was accordingly commenced, and has now proceeded to the middle of the ninth regnal, and will be completed, it is presumed, within a month.

I have the honour to be, Sir, your obedient servant,

C. P. Cooper, Esq. *Jos. Stevenson.*
Sec. Com. Publ. Records,
&c. &c. &c.

— No. 4. —

No. 4.

Mr. Black's Catalogue of Foreign Transcripts.

SYNOPTICAL CATALOGUE of Foreign Transcripts in the custody of *W. H. Black.*

FRANCE.

"Transcripts of Documents in the Archives and Libraries of France." Four portfolios, thus lettered.

(1.) Contains—

Miscellaneous transcripts from the Archives of France, illustrating the reign of Henry VI.

Extracts from the Registers of the Parliament of Paris, 1293, relating to transactions with England.

Transcripts from the Archives of Senlis.

Transcripts from the Archives of France, relating to the period of English history from Richard II. to Henry VI.

Continuation of the reign of Henry VI., 33 documents.

Royal Library, 62 documents of the same reign.

Archives, 17 important documents of the time of Henry I. and other early reigns, 14 of the reign of Henry III., and eight of the time of Henry VI.

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No. 4.
Mr. Black's Catalogue of Foreign Transcripts.

Archives, 29 documents, from 1344 to 1438.
Archives, 38 documents, from 1378 to 1411.
Archives, 86 documents, from Henry II. to Henry III.
Archives, 13 documents, from 1437 to 1439.

(2.) Contains—
From the Archives of France, 42 documents, from 1422 to 1437.
Royal Library, 50 documents from 1438 to 1453.
Archives, four documents relating to the Great Charter, dated in 1216, 1263, 1310 and 1321.
Archives, 42 documents, one of Richard I., the others from Henry III. to Edward II.
Archives, 80 documents, from 1439 to 1444. These are a selection of the documents catalogued in the last part of Appendix (D.)
Archives, 69 documents, from 1439 to 1443.
Archives, 58 documents, of the reigns of Richard I., Edward II., and a continuation of the series of Henry VI. from 1444 to 1450.
Archives, 42 documents, from 1301 to 1368.
Archives, 80 documents, of the reign of Henry VIII.

(3.) A large collection of documents relating to the reign of Henry VI. from the Royal Library at Paris.

(4.) Transcripts of 48 documents, of the period from Henry III. to Edward III., from the French Archives.
From the same, 52 documents, completing the series for the reign of Henry VIII.

Belgium.

I. "Transcripts of Documents in different Archives and Libraries of the Low Countries." Three portfolios, thus lettered.

(1.) Contains transcripts from the Archives of Alost, Antwerp, Arras, Bruges, Brussels, Dinant, Douai, Gand (or Ghent), Hambourg; but the greater bulk, to the number of some hundreds, is from Antwerp and Gand.

(2.) Contains a vast quantity of documents from the Archives of Lille.

(3.) Documents from the Archives and Libraries of Louvain, Malines, Middelbourg, Mons, Nimegue, S. Omers, Tournay, Ypres.

II. "Ex Archivis Belgicis." Nine transcripts of important records in the Royal Archives, bound up into a volume.

Switzerland.

"Record Commission." A portfolio, thus entitled, contains the Fragmenta San-Gallensia, a collection of transcripts and extracts from ancient MSS. in S. Gall's Abbey, together with dissertatory notes on the same, and nearly 70 fac-similes and drawings. This curious collection is of great importance to the ancient literature and ecclesiastical history of Ireland, most of the MSS. having been written by Irish monks, at a very early period.

"De Scottigenis apud S. Gallum." The MS. volume (in quarto) thus entitled contains a learned historical dissertation, chiefly drawn from the same sources, and relating to the same subject, as the foregoing collection.

Italy.

"Monumentorum Britanniæ Antiquitates, quæ in diversis urbis Romæ vel etiam in aliis Italiæ armariis habentur. Collectio Prima, Secunda, Tertia." Three quarto volumes thus entitled. They contain notices, extracts, and in some cases complete transcripts of MSS. chiefly in the Vatican Library, which relate to English history, or to the early literature of this country, and are composed in Latin, by the learned Abbé who collected the papers described under the head of "Switzerland."

Portugal.

"Documents from Portugal." One portfolio, thus lettered. It contains lists of all documents found in the Royal Archive of the *Torre do Tombo*, which relate to the objects of the Record Commission, and numerous authenticated copies of such of them as have yet been transcribed from that or other repositories in that country.

"Documents from Portugal: New Series." A portfolio, thus lettered, contains a continuation of the valuable transcripts from the *Torre do Tombo*, which are now in regular course of transmission hither.

The transcripts thus described, and which are in my custody, exceed the number of 2,000, whereof 1,000 has been obtained from Paris alone. If to these be added 516 documents from Normandy, which are in the hands of Mr. Cooper, and the numerous transcripts which have been already printed, particularly in Appendix (C), the number of documents obtained from abroad for the Fœdera may be safely reckoned at 3,000. Not only are most of them highly proper for insertion in the Supplement and Continuation of that work, but many are instruments of great public interest and importance.

In addition to the transcripts obtained, and others yet expected from Portugal, a valuable supplement to the records of transactions with that country has been procured, in a MS. of Privilegios dos Inglezes, containing 176 documents. This collection was made in 1746, for the use of the English factory in Lisbon, and the MS. perished in the great earthquake

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in 1755, together with many of the original records; but a transcript had been taken by the Marquis Pombal, which in its turn perished in the late civil war; yet, fortunately, Lord Stuart de Rothsay had caused a transcript to be made while he was in Portugal, which has been communicated for the use of the Record Commission, and is now being transcribed under my direction.

19 Feb. 1836. *William Henry Black.*

Appendix (H.)

No. 4. Mr. Black's Catalogue of Foreign Transcripts.

Appendix (I.)

COPY OF CIRCULAR QUESTIONS TRANSMITTED TO KEEPERS OF RECORDS.

Circular Questions to Keepers of Records.

1. WHAT are the several sorts and descriptions of Public Records, Rolls, Instruments, and Manuscript Books and Papers in your custody as Keeper or Deputy Keeper of Records, distinguishing the periods of time to which each sort relates, so far as you are able?

2. What is the condition of the building in which they are lodged, as to security and accommodation for the keeping thereof?

3. In what sort of preservation are the said Records, &c., and are they arranged in any and what order?

4. How many volumes of Calendars and Indexes, &c., are there relating to the Records, &c., in your custody; distinguishing the number of volumes of Calendars belonging to each class of Records, and specifying to which of these classes there are Indexes Locorum, Virorum, et Rerum; and are there complete and correct general catalogues, calendars, schedules, or repertories, and also particular indexes to each sort, or in what respect are the said catalogues, &c., and indexes defective? What proportion, in bulk or number, of the Records in your custody are unprovided with any detailed calendar or index, and what is their general nature, and in what part of the repository are they placed? What degree of utility would result from any defective catalogues, &c., and indexes being completed? State the shortest time within which such as would be useful might be completed by the ordinary diligence of the persons employed in your office, and specify such extra assistance (if any) as would be necessary for completing them, and the time within which the same might be so completed; and in case any such catalogues, &c., or indexes as are wanting in your office are known to exist elsewhere, specify the place where, or the person in whose hands they are or lately were, and whether they are public or private property.

5. Which of the above calendars would it be useful to the public to have printed, and which of them are sufficiently correct and complete for the press, or may be made so by the ordinary diligence of the persons employed in your office, or with any and what assistance, and within what period from the time of beginning to prepare the same for the press; specify how many printed volumes each of these sets would make in the same sized paper and type as the Rolls of Parliament, and containing 800 pages in each volume.

6. How many volumes of calendars and indexes to the Records in the said office have been added thereto for the public use during the last 30 years, or since the present Keeper of the Records came into office; distinguishing those which have been made by the officers or clerks employed therein, and those which have been added thereto by gift or purchase, or otherwise?

7. What officers or clerks are employed for the custody and arrangement of the Records, &c., in your office? Specify their general duties, so far as they regard the custody or arrangement of the said Records, &c., and the days and hours of their attendance for that purpose, together with an account of their net annual salaries, allowances, and emoluments (if any) paid to them by the public, or derived from any and what other source, in respect of such custody, &c., and a Table of the several fees demanded for each search, certificate, or copy of the said Records, &c., or attendance therewith; together with an account of the net annual amount thereof upon the average of the last three years for which the same can be made up.

8. Is there any person entrusted with the care of the said Records, &c., whose duty it is to attend upon every search, and to take care that every record, &c., be duly and safely restored to its proper place, and what is the name of his office, or is there any other and what regulation observed for effecting these purposes?

9. What number of searches, certificates, and copies respecting the said Records, &c., have been made in your office during the last three years, whereof any account has been kept? Specify the particular years, and the number of such searches, certificates, and copies respectively in each year, so far as you are able.

10. Has any and what alteration taken place in the contents, arrangement, or condition of your office, or in any other material circumstance respecting the said Records, &c., since the year 1800?

11. Have any and what number of Records been cleaned, repaired, and bound in your office since the year 1800? Specify the sorts and descriptions of the same, and in what years the same were cleaned, repaired, or bound, and by whom and by whose direction, and at whose expense, and out of what fund the expenses thereof have been defrayed.

12. Are there any matters not comprised in the preceding questions which it is necessary or expedient to observe for rendering the use of the said Records, &c., in your custody more convenient to the public; and what are those matters?

Appendix (K.)

PAPERS RELATING TO KING'S REMEMBRANCER'S OFFICE AND AUGMENTATION OFFICE.

— No. 1. —

COPIES of LETTER and REPORTS respecting some Records of the King's Remembrancer's Office, supposed to have been stolen.

Appendix (K.)
No. 1.
King's Remembrancer's Office.

King's Remembrancer's Office, Temple,
29 April 1834.

Sir,

WITH reference to your letter of the 25th of April, conveying certain information on the subject of some Records which appeared to belong to this office, being in the hands of Mr. Pickering, a bookseller of Chancery-lane, I have the honour to acquaint you for the information of the Commissioners, that I immediately instructed two officers of this office to make every inquiry that was possible into the circumstance, and I herewith transmit copy of a Report which they have this morning laid before me upon the subject.

I shall take an early opportunity of taking the instructions of the Lord Chief Baron upon the matter, in case his Lordship should deem any proceedings advisable, and should in the meantime be happy to be favoured with any suggestions from the Board which they might deem necessary, for the purpose of being laid before him or the Treasury.

I am, Sir, your obedient servant,

The Secretary of the Record Commission. *Henry William Vincent.*

Dear Sir, Exchequer Office, Temple, 29 April 1834.

AGREEABLY to your wish we have seen Mr. Pickering (a highly respectable bookseller and publisher residing in Chancery-lane), who produced to us the documents referred to in the letter addressed by the Secretary to the Commissioners of Public Records to you on Friday last, being 23 in number, of which on examination we could find only four which appear to have been taken from amongst the Records in the custody of the King's Remembrancer, and which we will here describe, viz.

7 Edw. III.—Dorset, Transcript of an Inquisition *post mortem* Alice Loveras.
4 Hen. VIII.—Sussex, Transcript of an Inquisition *post mortem* Elizabeth Unedale.
14 Hen. VIII.—Hertford, Transcript of an Inquisition *post mortem* Nicholas Mattock.
6 Car. I.—12 Feb. A Writ of Sci. Fa. issued out of this court upon the bond of James Duckington, directed to the Sheriff of Huntingdon, with the Sheriff's Return indorsed there on.

You will observe that the first three of these documents are transcripts or copies of the original inquisitions which were usually returned into the Court of Chancery, the process upon which they were taken having issued out of that court, and therefore the original inquisitions will doubtless be found either in the Tower of London, or at the Rolls Chapel in Chancery-lane, the respective repositories for the Records of the Court of Chancery.

The fourth document is of no importance as a public Record, being nothing more than the process of the court to compel the appearance of the party against whom it issues.

Upon inquiring of Mr. Pickering as to the manner in which he became possessed of the above-mentioned documents, he informed us that he purchased them in two different parcels of Mr. Harris, a dealer in books and curiosities, dwelling in Bedford-court, Covent Garden, to whom we afterwards repaired for further information, and learnt from Mr. Harris that he received the whole of those documents from Mr. Mark Malim (who was formerly a clerk or agent in the Exchequer Office, but is now a solicitor practising in Barnard's Inn, Holborn), of whom inquiries have been made respecting the said documents, and by whom we have been given to understand that he either received them from the executor of the late Mr. Miller, of Barnard's Inn, who was in his lifetime a great collector of antiquities, or purchased them at public sales. Mr. Malim offers to give any information you may require from him as to his possession of the documents in question.

We are of opinion therefore, that these documents must have been abstracted at a period long antecedent to that of your appointment as King's Remembrancer; and when it is recollected that at the time of the rebuilding of the several courts at Westminster Hall in 1822, the Records of the Court of Exchequer were removed from the rooms adjoining that court in which they were then deposited, to a temporary shed or wooden building in Westminster Hall, by a number of bricklayers and other labourers employed in the Government works, in baskets, and without any responsible person to superintend the removal, it seems reasonable to presume that depredations may have been committed at that period, and probably to a greater extent than has hitherto been ascertained, and that documents so abstracted may have been found in the public sale rooms.

We have the honour to remain, dear Sir,
Your very obedient servants,
F. H. Davis.
Thos. Ellis Adlington.

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—No. 2.—

Appendix (K.)
No. 2.
King's Remembrancer's Office.

COPY of the TREASURY WARRANT of 3d August, 1833, authorizing the King's Remembrancer to place the miscellaneous and unsorted Records of his office in the temporary custody of the Record Board, in order that the same might be cleansed, sorted, and calendared.

WHEREAS there are at present divers unarranged Records in the Repository at the King's Mews, Charing Cross, belonging to the Court of Exchequer, but apart from the arranged Equity Records thereof, and it has been represented to us, that it is expedient that the same be forthwith placed under the temporary custody of the Commissioners of Public Records, to be deposited in a place of proper security to be cleansed, sorted, and calendared, under the regulations hereafter mentioned. And the said Commissioners of Public Records having acceded to the said regulations, and the Lord Chief Baron of the Court of Exchequer having expressed his entire concurrence in such arrangement, these are to authorize and require you to surrender or cause to be surrendered to the Commissioners of Pubic Records, or to such person or persons as shall be duly authorized by them to receive the same, all the unarranged Records hereunder mentioned, (that is to say)

1. Special Commissions, and inquisitions taken thereupon.
2. Inquisitions post mortem.
3. Extents of manors.
4. Ministers' accounts of manors, lands, and other possessions, belonging to or in the hands of the Crown.
5. Escheat Rolls.
6. Extents of manors, lands, and the possessions of the alien priories.
7. Ministers' accounts of them.
8. Extents of the manors, lands, and possessions of the Knight Templars.
9. Ministers' accounts of them.
10. Subsidy and tax rolls and duplicates.
11. Court rolls and rentals.
12. Accounts of various sorts.
13. The Duchy of Cornwall, Records relating thereto.
14. Wales.
15. Ireland.
16. The orders and decrees which have been passed and entered in books.
17. Depositions taken before the Barons.
18. Inquisitiones Nonarum and Nona Rolls, together with such other unarranged Records as may appear necessary. Provided nevertheless that the said Records be eventually returned to the legal custody of the Court of Exchequer, and that all lists, indexes and catalogues which may be made, as soon as the nature of such documents may be ascertained, be furnished to the proper officer of the Court of Exchequer, and that while these documents are in possession of the said Commissioners of Public Records, or their officers, access without fee or charge in the presence of the said Commissioners, or one of their officers, be secured to the officers of the Court of Exchequer; and you are to take care that all Memoranda Rolls previous to the reign of Queen Elizabeth, be forthwith, with as much expedition as conveniently may be, replaced in the Stone Tower at Westminster. And for so doing this shall be your warrant. Whitehall Treasury Chambers, the 23rd day of August 1833.

Althorp.
R. Vernon Smith.
T. F. Kennedy.

To Henry William Vincent, Esq.
Acting King's Remembrancer in His Majesty's Court of Exchequer.

—No. 3.—

No. 3.
Augmentation Office.

CORRESPONDENCE between *C. P. Cooper*, Esq. and *H. W. Vincent*, Esq., the King's Remembrancer, relative to the Record Board retaining Possession of the Records of the Augmentation Office after Mr. Caley's death.

New Boswell-court, Lincoln's Inn,
8 April 1834.

My dear Sir,

WHEN you come to town I shall be glad to meet you and arrange some plan for continuing the transcribing of the Pipe Rolls for the Record Commission, as also for cleaning, sorting and calendaring the Miscellaneous Records in the late Pipe Office. These and some other matters require our immediate attention, and will be settled by a meeting much sooner and better than by correspondence.

Believe me, &c.,
C. P. Cooper.

H. W. Vincent, Esq.

Temple, 9 April 1834.

Dear Sir,

I HAVE the honour to receive your note this morning, and shall be happy to consider of any plan which may appear expedient to you for continuing the transcribing of the Pipe Rolls for the Record Commission, and for cleaning, sorting and calendaring the Miscellaneous Records of the Pipe.

I had

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No. 3.
Augmentation Office.

I had intended to have troubled you with a line this morning, even had I not been favoured with yours, in consequence of finding that you had given directions for assuming the custody of the Records of the Augmentation Office, of which (as they appear to belong, properly speaking, to the Pipe Office, which, under the Act of last Session, I represent) I am sure you would have apprised me but for my accidental absence for the Easter vacation (though indeed I was not too far for correspondence). I dare say you are all right; but what are your reasons for supposing that the Record Commission are the Custodes of these Records on the death of a man appointed by the Clerk of the Pipe? I do not think you or they are Record Keepers; are you? Pray be kind enough to let me hear, in a letter, your view on the subject.

I was averse from troubling you before, because I found it stated, in a note of yours, that "What you had done arose out of an interview with Lord Grey;"* but being since informed, by a letter from Lord Grey's secretary, "that Lord Grey has no recollection of having given any authority to you to take possession of these Records," and that Mr. Rice received your observation "that they had fallen under the custody of the Commissioners as a piece of information, not knowing anything to the contrary," it appears that either you or I must have overrated the extent of sanction, and that the matter still remains to be discussed on its own grounds. What these are, I suspend all judgment upon, until I hear upon what you have formed an opinion which has led to such prompt measures; and I shall be truly obliged to you for a line upon the subject. I have no wish to keep them from you and the Commission if you ought to have them, but let all be done openly and officially; at present there is a shrewd doubt if it is even legally. I shall be very ready to talk over these or any other matters with you if necessary, at any time after tomorrow; but I am not sure that I do not partially differ from you in the opinion "that matters are arranged by a meeting much better than by correspondence," as I think that the more sanctions and transactions are upon paper the better: the old "litera scripta manet" is not the worse for being trite. A sentence or two, clearly written, saves a world of misconstruction and misapprehension. Pray let me beg of you to allow me to hear from you as soon as you can on this subject, as I must make some inquiries as to the rights of it.

I am, dear Sir, yours truly,

C. P. Cooper, Esq. *H. Wm. Vincent.*

New Boswell-court, Lincoln's Inn.
9 April 1834.

My dear Sir,

With the late Mr. Caley's assent, an arrangement was some time since made, under which the Records at the Augmentation have for some months been in the care of the Record Board, whose people are employed in cleaning, sorting and repairing them. On Caley's death it was proposed at the Treasury to give this place to Palgrave, but I informed both Lord Grey and Mr. Spring Rice, that I doubted the authority, and besides thought a union of the two offices would be inexpedient; and I added, that the Record Commissioners would keep possession, as a matter of course, until a legal keeper should be appointed, and it might be doubted whether such could be appointed except by Parliament. Whoever, however, was appointed, steps must be taken that the money spent by the Record Board upon the Augmentation Office may not be thrown away. It never seems to have occurred to any one that Caley's office was abolished and his Records transferred to you. I am quite sure the old man himself had no notion of it, but continued to receive the fees, &c., until the time of his death.

I am, &c.,

H. W. Vincent, Esq. *C. P. Cooper.*

New Boswell-court, Lincoln's Inn,
10 April 1834.

Dear Sir,

A press of professional business prevented me from answering your letter so fully as I wished. The Record Board are in all instances desirous of consulting the convenience of the keepers of Record Offices and their clerks, as far as is consistent with the due execution of the important works entrusted to them. What the Commissioners require in the King's Remembrancer's Office is access to their clerks to copy such Records as they may determine to publish, and to such persons as they may appoint, to sort, clean and repair the Miscellaneous Records. At the period when the Records of the Pipe Office, &c., were transferred to you, the work of transcribing, sorting, &c., was performed by a gentleman in the office. It is probable, however, that it will not be expedient to continue that arrangement. Any official order that you may require shall be prepared and transmitted to you, and we are even desirous of complying with any suggestions that you may make as to the form, and for that reason I enclose a copy of the last order made upon this subject: it applied to the Tower, the Chapter House and the Augmentation Office.

I remain, &c.,

H. W. Vincent, Esq. *C. P. Cooper.*

Order alluded to in the foregoing Letter.

Extract from the Minutes of the Proceedings of the Board of His Majesty's Commissioners on the Public Records, held April 27th 1833.

Record Offices, Tower of London, Chapter House and Augmentation Office.

Necessity of extending the hours of attendance at those offices, to enable Sir Francis Palgrave to execute the various tasks enjoined him by the Board.

Produced,

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* See the Secretary's evidence respecting this passage.

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No. 3.
Augmentation Office.

Produced. Various papers on this subject, which are printed in the Notes of Business.

Ordered. That the Keepers of His Majesty's Records in the Tower, and the Keeper of the Records in the Chapter House, and in the Augmentation Office, be severally informed by the secretary, that it is the desire of His Majesty's Commissioners on the Public Records, that these officers should make such arrangements in their respective establishments as shall enable Sir Francis Palgrave, or any other gentleman under the orders of the Board, and deputed to have access to the documents in the said depositories, to have such access, and for such length of time during daylight, as may be required for the speedy and uninterrupted discharge of the duties with which Sir Francis Palgrave, or any other gentleman under the orders of this Board, may be entrusted.

Dear Sir, Temple, 10th April 1834.

MANY thanks for your letters: they seem scarcely to clear up the difficulty. Perhaps you will be good enough to let me have copies or extracts of any papers by which Mr. Caley placed his charge in the care of the Record Board, and the authority and conditions under which it was done. The officers of the court do not hold themselves authorized to make such surrenders without those precautions, I believe. In short, there appears to be some mistake: I will tell you the case as shortly as I can, and leave you to judge. The letters patent of Philip and Mary transfer these Records to the custody and jurisdiction of the Court of Exchequer. In the appointment of Lord William Bentinck as clerk of the Pipe, these Augmentation Office Records are specifically, and by name, committed to his charge, and Lord William appointed Mr. Caley as his Record keeper. If Mr. Caley had died while there was yet a Pipe, Lord William, and nobody else, would have appointed another. These Records, therefore, belong to the court, who will certainly, I apprehend, not suffer them to pass out of their jurisdiction, and are surely without doubt transferred to me by the 15th Section of the Act of last Session, with the rest of the relics of the Pipe, whether that circumstance occurred to any body on the late occasion or not. An application to the proper authority will, no doubt, always secure the laudable objects of the Commission; but I must not, in the meantime, as the Court's officer, permit their Records to be taken en masse out of their jurisdiction and my superintendence. I am sure you will perceive this. I have therefore to request you will have the goodness to forward to me, at your early convenience, the keys of the depositories at Mr. Caley's late office, so far as the same related to the Court of Augmentation (without any interruption of the useful labours of the Commission), in order that I may take the requisite measures for their security, in which I shall be happy to be favoured by any suggestions from the Board.

C. P. Cooper, Esq. I am, dear sir, your obedient servant,
Record Commission. *Henry Wm. Vincent.*

New Boswell-court, Lincoln's-Inn,
Dear Sir, 11th April 1834.

I WAS aware of all the circumstances mentioned in your letter as to the Augmentation Office Records, and wrote yesterday to the Treasury upon the subject. If it should turn out that the Records in question have been legally transferred to your custody, of which I am at present by no means satisfied, all I can say is, that it is a surprize upon the Record Board and myself, and steps must be taken to prevent the inconvenient, not to say the injurious consequences. I have stated to the Treasury what naturally follows, from the doubt that has arisen that the Board will keep possession of the Records until the question is decided. You seem hardly to be aware that from 700 *l.* to 800 *l.* per annum has, for almost 10 years past, been spent in cleaning, repairing, and binding these Records, in the form of books, in russia, calf, &c. Except too, from the circumstance of the letters patent (which I have carefully read) declaring them to be part of the Exchequer Records, they are no more connected with that court than with any other tribunal. The truth is, that independent of other reasons, the public interest requires they should be confided to a distinct custody, and if your construction of the Act, &c., is correct, the matter must be set right by a clause in the Act for establishing a General Record Office, the plans for which are now before me. I say nothing as to access for our clerks to the Pipe Rolls, &c., because there seems to be some misunderstanding upon the subject, and I am loth that this should lead to any arrangement that may be prejudicial to any of the gentlemen of your establishment, and perhaps, after all, not more advantageous to the public interest.

I am, &c.
H. W. Vincent, Esq. *C. P. Cooper.*

LETTER to the Treasury, alluded to in the foregoing Letter to Mr. Vincent.

New Boswell-court, Lincoln's Inn,
Sir, April 10th, 1834.

I AM instructed by His Majesty's Commissioners on the Public Records, to request that you will call the attention of the Lords Commissioners of the Treasury to the state in which the Records preserved in the Augmentation Office are placed, by the death of Mr. Caley, the late keeper, and the operation of the Act of last Session, c. 99, for abolishing certain offices in the Court of Exchequer. The Augmentation Office Records are the

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No. 3. Augmentation Office.

Records of a court which, by letters patent of the time of Philip and Mary, was united to the Court of Exchequer, but these Records being very valuable, and of a different nature from the general Exchequer Records, it was thought that they ought to be kept distinct, and they were accordingly committed to the custody of the Clerk of the Pipe, to be kept in such place as should be fixed for that purpose by the Lord Treasurer's Remembrancer. The Clerk of the Pipe appears soon to have abandoned this trust to a deputy, who has ever since been called the Clerk of the Augmentation Office, but who received no salary, being remunerated by the fees alone, which before the late alterations in the law were very considerable, and in which neither the Clerk of the Pipe nor any other person participated; so that, in fact, the Court of Exchequer was connected with the Augmentation Records so far only as they were declared to have the same validity as the general Records of that Court.

The Clerk of the Pipe, however, acquired and retained the patronage of the place of keeper of the Augmentation Records. Mr. Caley had held this office ever since the year 1787, and for some years before he ceased to be Secretary to the Record Board very large sums of money were yearly expended in sorting, repairing and binding the Records in his custody; an operation which the present Commissioners have thought so important that they have given to it a still greater extent, and Mr. Caley having for many months been too ill to superintend the work himself, the Records were, with his concurrence, committed to the charge of a gentleman in the employ of the Record Commissioners, Mr. Caley however, receiving all the fees and emoluments up to the time of his death. It will be observed, that the Act above-mentioned is wholly silent as to this place, and there can be no doubt that it was not at that time in the contemplation of those who framed it, that the place should be abolished. A difficulty is, however, created by the circumstance that the office of Clerk of the Pipe is abolished by that Act, so that there is no person in existence on whom, as it may be presumed, there was any intention of conferring the power to appoint to the vacant office. The Commissioners, however, apprehend that this difficulty may easily be removed by the Crown vesting the custody of these Records either in the Record Board, or some person in its employ, the fees being accounted for and paid into the Treasury. That the Crown possesses power to do this there can be no doubt, but if any doubt exist it may be removed by a clause in the Act to be passed for erecting a general Record Office upon the site of the Rolls' Estate. It has been lately suggested that the Act of last Session has transferred these Records in question to the King's Remembrancer's Office, but the Commissioners are unable to find any words in the Act to justify such a construction. Certain it is that neither the Board nor Mr. Caley contemplated any interference with the custody of these Records, or the mischievous consequences of such a measure would have been brought to the attention of Government. The Record Board will of course retain possession of the Records until such time as a legal keeper is appointed.

The Right Hon. T. Spring Rice,
&c. &c. &c.

I am, &c.
(signed) *C. P. Cooper.*

Dear Sir,

Temple, April 11, 1834.

We have now done what probably appeared to each to be his duty, and the matter is now clearly in the right course to be settled by the higher powers. I do not look upon the ultimate decision of it either way as quite so important as you appear to do (provided it is properly decided as to mode), but that we need not discuss.

Faithfully yours,
Henry Wm. Vincent.

C. P. Cooper, Esq.

New Boswell-court, Lincoln's Inn,
April 11, 1834.

Dear Sir,

I must not lose a moment in noticing a passage in your polite note. Be assured nothing was further from my thoughts than to find any fault with the course you have taken, I am quite aware you are only doing what you consider to be your duty. It is a pity, however, that the Augmentation Office did not occur to you when the Bill was in preparation, or when the Act came into operation. The truth is, the point is *casus omissus*, and Government must now do whatever may be most for the public advantage.

Yours very truly,
C. P. Cooper.

H. W. Vincent, Esq.

— No. 4. —

No. 4. Custody of Augmentation Office.

LETTER of the Right Honourable Lord *Abinger* to the Honourable *J. Stewart*, one of the Secretaries to the Treasury, as to the custody of the Augmentation Office Records.

Sir,

New-street, Spring Gardens, 18 December 1835.

I have to acknowledge the receipt of your letter of the 9th instant, together with the minute of the Lords Commissioners of the Treasury of the 8th instant, and the accompanying letter of Mr. Vincent, Mr. Cole and Mr. Cooper, respecting the custody of the Records and papers of the Court of Augmentation, whereupon their Lordships have expressed a desire to have my opinion upon the course of proceeding which, under the circumstances stated in those letters, will be most conducive to the public service.

In

In answer to which I beg leave to state that, by the statute 1st Mary, sess. 2. cap. 10, the queen was authorized by her letters patent to dissolve the Court of Augmentation, and to annex it to any other Court of Record. Provided, that in case she annexed it to the Court of Exchequer, then all things that were in the survey of the dissolved court, should be ordered in like manner, to all intents, as the Court of Exchequer is, or ought to be, by the common law and statutes of the realm; and Her Majesty's letters patent, when passed, were to be deemed to have the same force and authority as an Act of Parliament.

Appendix (K.) No. 4. Custody of Augmentation Office.

That accordingly, immediately after passing the statute, letters patent were granted by the queen, for the purposes in the Act mentioned, and duly enrolled in the Court of Exchequer, whereby the Court of Augmentation was dissolved and united to the Court of Exchequer, in which letters patent, certain parts of the Records and documents belonging to the Court of Augmentation were directed to be placed in the custody of the King's Remembrancer, and other parts in the custody of the Clerk of the Pipe, to be kept in such place or places as the Lord Treasurer and the court should appoint.

That from the time of these letters patent to the abolition of the office of the Clerk of the Pipe, by the statute of 3d and 4th William IV., cap. 99, the Records in question remained in his custody, and upon the extinction of his office, ought, by the 45th section of that Act, to have been transferred by him to the custody of the King's Remembrancer.

That the Lords Commissioners of the Treasury have, under the circumstances stated in their letters, and their Lordships' Minute of the 8th instant, adopted the only legal course that was open to them, in causing these Records to be placed in the hands of the King's Remembrancer.

I have only further to suggest, for their Lordships' consideration, that it may be expedient, with a view to remove all doubt of these Records (which are of great value) being in proper custody, and therefore admissible in evidence, that an order should be made by the Barons of the Exchequer and three of the Commissioners of the Treasury, to confirm the custody of them by the King's Remembrancer till further order, in conformity with the directions of the 45th section of the Act.

I have the honour to be, Sir,
Your most obedient servant,
Abinger.

Appendix (L.)

PAPERS RELATING TO SIR FRANCIS PALGRAVE.

— No. 1. —

EXTRACT from the MINUTES of the PROCEEDINGS of the BOARD of HIS MAJESTY'S COMMISSIONERS on the PUBLIC RECORDS of the Kingdom, held the 9th March, 1833, relative to the Salary of Sir *Francis Palgrave.*

Appendix (L.) No. 1. Papers relating to Sir F. Palgrave.

Present,

The Right Honourable the Lord Chancellor.
The Right Honourable the Speaker of the House of Commons.
The Right Honourable the Lord Clerk Register of Scotland.
The Right Reverend the Lord Bishop of Llandaff.
The Right Honourable Charles Watkin Williams Wynn, M.P.
Sir Robert Harry Inglis, bart., M.P.
Louis Hayes Petit, esq.
Henry Bellenden Ker, esq.
Henry Hallam, esq.
John Allen, esq.
Edward Protheroe, esq.
William Brougham, esq., M.P.

The salary of Sir Francis Palgrave as Sub-Commissioner for the Formation and Publication of Calendars of the Miscellaneous, unsorted and uncalendered Records at the Tower, as Superintendent of the Transcription of the Foreign State Papers, Pipe Rolls and other Records and Documents, as Editor of the Parliamentary Writs, &c. &c. &c.

Resolved, That the sum of 1,000 *l.* per annum, payable quarterly, be tendered to Sir Francis Palgrave for his services to the Board, under the orders already passed for his employment, and under any other orders to be issued through the secretary to him, such salary not to be considered to preclude Sir Francis Palgrave from any avocation or employment not inconsistent with his duties under the Board, and Sir Francis being to make reports of his progress to a committee of inspection three times in a year.

— No. 2. —

COPY of a TREASURY MINUTE, dated 18th April 1834.

(7331.)

No. 2.

EARL GREY states to the Board that a vacancy has occurred in the office of Keeper of the Records of the Exchequer in the Chapter House, Westminster, by the death of Mr. Caley, and he recommends to my Lords to appoint Sir Francis Palgrave, who is well qualified

Appendix (L.)

No. 2.
Papers relating to Sir F. Palgrave.

fied to perform the duties of the office, to fill the vacancy with an annual salary of 400 *l.*, that heretofore received by the Keeper of the Records, and the present fees or such fees as shall be fixed hereafter for searches or for copies furnished to the public, but reserving the question of what establishment may be necessary, the appointment to which will be made by my Lords, for future consideration, after my Lords shall have had a proper opportunity of consulting thereupon with the Commissioners of Records. His Lordship at the same time states to the Board, that in receiving this appointment it is clearly understood by Sir F. Palgrave that his services under the Commissioners of Records are to be continued; but that the remuneration for such services is to be so measured for the future as that the annual amount of his emoluments from that source, with his salary of 400 *l.* a year as Keeper of the Records, and the produce of such fees to be received as aforesaid, shall not in the whole exceed 1,000 *l.*, the sum at present paid to him as salary by the Commissioners of Records.

Let a warrant be prepared for the signature of my Lords, constituting and appointing Sir Francis Palgrave to be Keeper of the Records of the Exchequer at the Chapter House, Westminster, accordingly.

— No. 3. —

TREASURY CONSTITUTION, appointing Sir *Francis Palgrave* Keeper of the Records of the Exchequer at the Chapter House, 15 May 1834.

No. 3.

TO all to whom these presents shall come, we, the Lords Commissioners of His Majesty's Treasury send, Greeting: WHEREAS, by a constitution under the hands and seals of three of the then Lords Commissioners of His Majesty's Treasury, bearing date the 12th of March 1818, John Caley, Esquire, was appointed Keeper of the Records of the Exchequer in the Chapter House at Westminster; and whereas the said John Caley is lately deceased, now know ye, that we, reposing especial trust and confidence in the ability, care, skill and integrity of Sir Francis Palgrave, Knight, have nominated, constituted and appointed, and do by these presents nominate, constitute and appoint him the said Sir Francis Palgrave to be Keeper of the Records of the Exchequer in the Chapter House at Westminster, and to sort, digest and methodize the said Records, papers, and writings, and to make proper calendars, indexes and catalogues, and to take care of and preserve such as have been already made, and to do, execute and perform all other matters or things whatsoever as may conduce to and be found useful and necessary for the service aforesaid. And for the better encouragement of him the said Sir Francis Palgrave in the performance of the said duties, we do, on His Majesty's behalf, hereby give, grant and allow unto the said Sir Francis Palgrave the yearly salary or allowance of 400 *l.*, together with such fees as were receivable by the late John Caley, or such other fees as shall be fixed by us hereafter for searches or for copies furnished to the public. And to the end that we, or the Lords Commissioners of His Majesty's Treasury for the time being, may be informed of the progress that from time to time shall be made in this work, we do hereby strictly charge and command the said Sir Francis Palgrave to certify to us or to the Lords Commissioners of His Majesty's Treasury for the time being, in writing, to be signed by himself, the work that hath been done and performed in every quarter subsequent to his appointment, stating therein the services which have been performed during the said quarter by the several clerks who have been already appointed by us or the Commissioners of the Treasury for the time being, to assist him in the execution of the duties of his office. And moreover, we do hereby will and require the said Sir Francis Palgrave diligently to attend to the performance and execution of this service, and to take especial care that the Records, papers and writings which by the delivery of the keys which were in the possession of the said John Caley will be, and be deemed and taken under his care and charge alone, be not embezzled, altered, or defaced in any manner or kind, or by any means whatsoever, as he will answer to the contrary at his peril. Given under our hands and seals at the Treasury Chambers, Whitehall, the 15th day of May 1834, in the fourth year of the reign of our Sovereign Lord WILLIAM THE FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth.

(signed) *Grey*, (L. S.)
Althorp, (L. S.)
George Ponsonby. (L. S.)

— No. 4. —

COPY of REPORT of COMMITTEE on the Establishment necessary for assisting Sir *Francis Palgrave* at the Chapter House, and on the Fees that ought to be charged in that Establishment.

No. 4.

THE Committee of Commissioners of Records appointed to consider and state to the Treasury what establishment will in their opinion be necessary for assisting Sir Francis Palgrave in the proper execution of his office of Keeper of Records at the Chapter House, and what fees should be charged for searches or for copies of documents furnished to the community, have examined into the matters referred to them, and have agreed upon the following Report:

The

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The establishment of the Chapter House consists at present of three office clerks and one messenger or attendant.

The clerks are,

Mr. J. D. Clarke, appointed in the year 1810, and who now receives a salary of 156 *l.* 19 *s.* per annum.

Mr. Charles Devon, appointed in the year 1818, and who receives a net salary of 128 *l.*, and,

Mr. F. Devon, appointed in the year 1819, and who receives a net salary of 100 *l.* 18 *s.*

The late Mr. Caley allowed these gentlemen to receive a portion of the fees for searching, amounting (on the average) to 80 *l.*, which was divided between them.

The hours of attendance are from ten till one.

The office is closed on the Exchequer holidays, amounting to about in the year, and the clerks have been allowed six weeks' vacation in the course of the year, under no other restriction excepting that not more than one clerk should be absent at the same time. This practice was stated by the late Right honorable George Rose to be the custom of the office. Neither Mr. Rose nor Mr. Caley appear to have exercised any control over the proceedings of the clerks, and as it further appears, Mr. Caley led them to consider that the arrangement of the Records and the making of calendars thereof were only subordinate portions of their duty.

The salaries of these gentlemen are, as we believe, considering the few hours of attendance, higher than the usual rate paid in similar establishments, and the time devoted by them to the office business is much too short to enable them to clear off the vast arrear of indexing and calendaring which remains to be performed. But as, from the length of time which these gentlemen have held their situations, they would be entitled to retiring allowances, and as they have all, upon the faith of their first retainers, arranged their other avocations and employments with reference to their official employment, we consider that it would be inexpedient and unjust either to remove them from their situations or to demand any further attendance without additional remuneration, but that they should be continued, provided they will undertake to discharge their duties sufficiently, in such manner as the principal of the office may direct.

We find it expedient to call the attention of the Board to this proviso, because during the time of the late Mr. Rose, and also of Mr. Caley, the management of the office was left almost wholly to the clerks, the principal scarcely ever giving his attendance, and therefore, as might naturally be expected, the relative situations of the principal and of the establishment are undefined, and we are of opinion that the clerks should be informed that they should act under the direction of the principal.

We are informed by Sir Francis Palgrave that the clerks are all willing to give additional attendance on being paid for the same, and it has been proposed by Sir Francis Palgrave that such additional remuneration should be made by paying them according to the extent and nature of the work performed, the same to be certified by him to the Secretary of the Record Commission, and to be paid out of the annual grant; and on the whole we consider that this arrangement is, under existing circumstances, the best that can be effected for the public service. From the very great extent of the Records remaining to be calendared, it is our opinion that it may be desirable Sir Francis Palgrave should employ an extra clerk or clerks for the purpose of assisting in the formation of the calendars; and we think that after the experiment has been made of employing the other clerks during extra hours, so as to ascertain the rate of their progress, it will be advisable to allow Sir Francis Palgrave to do so, and that the expense be paid out of the general funds of the Commission; but we are of opinion that the secretary should have notice previous to the appointment of such extra clerk or clerks, and that the assent of the Board should be obtained thereto. We think it will be proper that the Treasury should be made fully acquainted with the vast arrear of work which remains to be performed.

It is now calculated by Mr. Clark, that working during office hours, he would require 15 years to complete the index of the Fines, which form only a small part of the uncalendared Records.

The state of the building is such as is described in the Report of Sir Francis Palgrave to the Board; and it appears to us that the alterations and additions pointed out by him are expedient and necessary, and that he cannot give his due attendance unless a proper apartment be provided for him, and that the present entrance into the office from Poet's Corner is unsafe and inconvenient. We have also inspected the boxes, prepared under his directions for the arrangement of the Records, and we are of opinion that this mode is convenient and advantageous, and that, in particular, it will save much trouble and expense in the event of the erection of a new Record Office, as, in such case, the Records can be removed without disarranging them, and the boxes being re-arranged according to their numbers and letters, no difficulty or confusion will arise.

Some works of absolute and immediate necessity, such as putting locks on the presses, providing a few boxes for the beginning of the arrangement, &c., have been executed, with the approbation of the secretary, by the workmen employed for the Commission; but as such works are of the nature of permanent improvements, and might materially encroach upon the funds placed at the disposal of the Record Commissioners, and devoted to other purposes, the same ought to be performed by the Board of Works, and Sir Francis Palgrave has addressed an application to that Board accordingly; and we are of opinion that the Record Commissioners should address a letter to the Board of Works supporting the application so made, and that, in the meantime, any articles absolutely necessary should be supplied in the usual way, under the direction of the secretary.

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No. 4.
Papers relating to Sir F. Palgrave.

The messenger ——— Beavan, who receives a salary of 18 *s.* per week, is now bedridden; but the duty is performed by his son Charles Beavan, who is also paid 7 *d.* per hour for his extra attendance, viz. from 9 to 10, and from 1 till 4.

This last mentioned allowance has been paid out of the grant made to the Record Commissioners. During the extra hours Beavan, jun. binds and cleans the Records, but he can only execute the common works; and cleaning of the office, that is, washing the floors, &c., cannot be adequately performed by one person, who has also to attend to the general business thereof.

The sum generally allowed by the Treasury for the office contingencies is 80 *l.*, which have been apportioned in the following manner:

	£.	s.	d.
Rent paid to the Dean and Chapter for the offices	2	2	–
Coals, average	6	–	–
Water	1	1	–
Sundries, fire-wood, &c.	1	–	–
Salary and allowance made to Beavan	47	10	–
£.	57	3	10

Out of the balance, amounting to about 22 *l.* 16 *s.* 2 *d.*, Mr. Caley supplied the very small quantity of stationery used in the office, not exceeding 10 *l.*; and no other expenses were incurred by him in relation thereto, the cleaning, &c., having been wholly neglected.

The permanent salary paid to the messenger is, we believe, higher in proportion than the ordinary salary usually received by porters of that description; but on account of his age and infirmities, we do not think it would be just to discontinue it; and we think that the extra allowance made to Beavan is reasonable, and that he should be continued to perform his father's duty. The binding, cleaning and repairing of the Records require a much more extended and efficient establishment; and we are of opinion, that binders and cleaners, at least, will be required until some impression is made upon the Records. Some Records have been recently repaired and cleaned at the binding establishment at the Augmentation Office; and as Sir Francis Palgrave expresses his satisfaction at the mode in which the work has been performed, we are of opinion that the same should be continued there, under the management of Mr. Cole, but subject to Sir Francis Palgrave's inspection and approbation; and we also are of opinion that two persons should attend at the Chapter House to perform such cleaning and repairing of Records as may be conveniently effected in the depository where the Records are placed, and that the necessary funds should be supplied for that purpose.

The expenses of pasteboard boxes, portfolios, parchment and other articles required for the repair and arrangement of the Records, will be considerable; and a much larger supply of stationery will be required for the use of the office than can be covered by the balance of the 80 *l.* hitherto allowed. Sir Francis Palgrave has therefore addressed a letter to the Treasury, requesting that an order may be given to the Stationery Department to supply such stores as may be needed. Their Lordships have postponed their reply until they have the whole question of the establishment before them; and as we are of opinion that the supply is unquestionably required, we recommend to the Board to support the application so made.

The Chapter House, from its size and construction, will require the constant attendance of a female servant to light the fires, clean the floors, and perform other similar domestic operations; and we recommend that an annual allowance, not exceeding 40 *l.*, be made to Sir Francis Palgrave for such purpose, and for other outgoings of the office.

We have inspected the Calendars referred to in Sir Francis Palgrave's Report, and think that it will be desirable that the more ancient should be prepared for the press, as they furnish, in several instances, the only evidence of the former existence of documents which have since disappeared, and that the secretary should be authorized to make such arrangements as may be necessary for such publication.

Your Committee do not see reason to recommend any alteration in the fees now payable upon searches incidental to legal proceedings, which continue to be the same as were reported to the Record Committee in 1800, and which will also be found, as stated by Mr. Caley, in pages 106 and 107 of the Proceedings of the Record Commission; all searches made, or extracts taken for literary or historical purposes, being exempt from all fees, as heretofore.

(signed) *Charles Watkin Williams Wynn.*
Louis Hayes Petit.

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Appendix (M.)

RECORDS RELATING TO THE DUCHY OF CORNWALL.

—No. 1.—

CORRESPONDENCE of *Charles Purton Cooper*, Esq., Secretary to the Record Board, with Sir *George Harrison* and Sir *Herbert Taylor*.

Appendix (M.)
No. 1.
Records relating to the Duchy of Cornwall.

Sir, Duchy of Cornwall Office, 13th October 1835.

As auditor and keeper of the Records in the Office of the Duchy of Cornwall, I take the liberty of addressing you, and of requesting that you will submit my present application, in that character, to the Commissioners on the Public Records, for their consideration, and I trust for their favourable decision thereon.

On a reference to the former proceedings of the Board of Commissioners, you will find that in or about the year 1800 the "Ministers' Accounts," exclusively relating to the Office of the Duchy of Cornwall, then in the Augmentation Office, were by the order or authority of the said Commissioners, transferred from that Office to the Office of the Duchy of Cornwall.

The perfect knowledge of, and easy reference to these accounts so readily acquired at the Duchy Office through the means of this transfer, have practically been found to have been of the most material use to the latter office generally, but more particularly in the late most important trial of Rowe and Brenton, at the bar of the Court of King's Bench, and which, after six days' hearing, terminated so successfully in its favour.

I have recently found that there are still in the Augmentation Office many other most valuable and important Records, which relate exclusively to the Office of the Duchy of Cornwall, and which would therefore (when properly arranged) be of infinite value and importance to that office, but are in reality of no possible use to any other.

Their having been originally deposited in the Augmentation Office, instead of the Office of the Duchy of Cornwall, is very satisfactorily to be accounted for by the circumstance of the Duchy of Cornwall having (since the grant by Edward 3 to the Black Prince) so often reverted to the Crown in the vacancy of a Duke of Cornwall.

The advantage to the Duchy of having all the Records which exclusively relate to it properly arranged in the Office of the Duchy itself, will be too obvious to the Commissioners to need any observation or comment from me on that subject.

I have, therefore, to request the favour of you to submit all these circumstances to the favourable consideration of the Commissioners thereon, and further to request their order and authority for the transfer which I have taken the liberty thus to suggest.

I have the honour to be, Sir,

Charles Purton Cooper, Esq.
Sec. Rec. Com.

Your very faithful humble servant,
George Harrison.

Sir, Brighton, 9th January 1836.

Sir George Harrison having desired me to submit to the King the copy of a letter which he addressed to you in October last (which for the convenience of reference I beg to enclose), and having represented that it would be necessary to obtain His Majesty's sanction to the application which is therein made for the transfer to the Office of the Duchy of Cornwall of the Ministers' Accounts and other documents now deposited in the Record Office, which relate exclusively to the Duchy of Cornwall, I have received His Majesty's commands to request that you will acquaint the Record Commissioners that His Majesty entirely concurs in the propriety of the application which has been made by Sir George Harrison, and with respect to the importance and utility of placing the Duchy of Cornwall Office in the possession of the Records in question, and that the compliance of the Commissioners with that application will therefore be satisfactory to His Majesty.

I have the honour to be, Sir,

C. P. Cooper, Esq.,
&c. &c. &c.

Your most obedient humble servant,
H. Taylor.

New Boswell-court, Lincoln's Inn,

Sir, 15th January 1836.

Your letter of the 9th instant was yesterday sent to me by Sir George Harrison. In reply I beg to state that I consider it my duty to summon a Board of the Record Commissioners without delay, and to lay before them Sir George Harrison's application, and at the same time acquaint them that the King has been graciously pleased to signify that their compliance with such application will be satisfactory to His Majesty.

This intimation of the King's pleasure will, I make no doubt, enable the Commissioners to remove the difficulty which might otherwise present itself on the part of the Barons of the Exchequer, to whose court the Records in question at present belong.

I beg

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No. 1.
Records relating to the Duchy of Cornwall.

I beg you will permit me, through you, humbly to assure His Majesty that every endeavour shall be used on my part to give effect to the manifestation of his Royal will.

I have the honour to remain, Sir,
Your obedient servant,
(signed) *C. P. Cooper.*

Sir Herbert Taylor,
Brighton.

New Boswell-court, Lincoln's Inn,
13 January 1836.

Dear Sir,

Mr. Frederick Devon has informed you that there has been no meeting of the Record Commissioners, except for one special purpose, since October last, when I received your official letter respecting the removal of certain Records relative to Cornwall from the Augmentation Office to the Office of the Duchy. The letter from Sir Herbert Taylor, however, makes it improper that I should wait any longer for a regular Board, and I will see the Speaker and get him to permit me to summon the Commissioners to meet at his house some day next week. In the meantime I will see Lord Abinger and some of the other Barons of the Exchequer, and remove any obstacle to your wishes in that quarter, by informing their Lordships of His Majesty's wishes upon the subject, which indeed ought to be regarded as commands.

I have the honour to be, dear Sir,
Your faithful servant,
(signed) *C. P. Cooper.*

Sir George Harrison,
&c. &c. &c.

Duchy of Cornwall, 22 January 1836.

My dear Sir,

A mistaken idea appears to have arisen in the minds of the public, that the Records exclusively belonging to the Duchy of Cornwall, which I have solicited from the Commissioners, for the transfer to this office, from the Augmentation Office, will not be accessible; that this is an erroneous opinion will be evident from the decision of all the judges, in the case of Rowe *v.* Brenton, which was tried at Bar, in 1829, in the Court of King's Bench, in which the judges unanimously decided that the office of the Duchy of Cornwall was as much an Office of Record as any other of the Record depositories. It is therefore clear that the Records now in question will be equally open and accessible to the public as they now are in the Augmentation Office.

I have the honor to be, dear Sir,
Yours most sincerely,
Geo. Harrison, Auditor.

Chas. Purton Cooper, Esq.,
&c. &c. &c.

4, Spring Garden-terrace,
26 January 1836.

My dear Sir,

If my constitutional malady, the gout, will permit, I will unquestionably obey your summons to The Speaker's House, in Carlton-gardens, on Wednesday next; but in case I should not be able to attend, I take the liberty of thus putting you in possession of my sentiments, which I will request the favour of you to communicate to your Board, and to read to them the letter, together with that of Sir Herbert Taylor and my two former letters upon this subject.

If I am rightly informed, the difficulty which is likely to present itself, as an objection to a compliance with the Royal wishes, so decidedly and clearly expressed, is "that there are suits in agitation, and likely to be, in which the public are interested, and the Duchy also, therefore, from that circumstance the Duchy is not the party that ought to have the custody given them."

The high respect which I so sincerely and so justly entertain for the eminent individuals to whom this difficulty may have presented itself, would at all times enforce from me the greatest deference and submission to their opinions; still I am induced humbly to hope that they have not been fully and finally considered, as I feel bound to dissent from those opinions upon the following grounds:

1st. If the reasons assigned for a noncompliance with the Royal wish are solid and substantial reasons, they would be equally so in prevention of there being any public Records at all, and any keeper of public Records in the Duchy; but there are public Records in the Duchy, and probably to the extent of 49/50th parts at least, (if not in a much greater proportion) than those in the Augmentation Office, (the removal whereof is now solicited) already in the Record Office of the Duchy, and that the office of Record of the Duchy is legally a Record Office, will presently be shown. Any public Records favourable to a suitor against the Duchy or the Duchy interests, would much more probably be found in the Record Repository at the Duchy than at the Augmentation Office. I am probably speaking much within compass when I assert, that 49/50th parts of the Records, which exclusively relate to the Duchy, are now in the Record Office of the Duchy. The reasons, therefore, if solid and substantial, would be available reasons only as to the 1/50th part of the subject matter of them.

2ndly. I have the authority of the unanimous decision of the judges, in the trial at Bar, in the Court of King's Bench, in the case of Rowe and Brenton, for the assertion that the Duchy Office of Record is an office of Record, just as much as the Augmentation Office itself, the Tower, the Chapter House, or the Rolls; and that all the Records in the Duchy Repository, and now in the custody of their keeper, are just as much public Records as if they

they were in any of the repositories before-mentioned; and there is no reason why they should not be: in fact they are just as much open and accessible to the inspection of the public, and to have copies or extracts made from them, as if they were actually in any of the repositories of Public Records above-mentioned.

3dly. If the reasons now assigned be solid and substantial reasons for a non-compliance with the Royal wish, that all the Records exclusively relating to the Duchy should now be removed from the Augmentation Office (wherein they ought never to have been placed) to the Record Office of the Duchy (their only proper repository), these reasons are in direct opposition to and would decidedly impeach the conduct of the Commissioners of the Public Records in the year 1800, for they recommended "that the Records of the Duchy of Lancaster and Cornwall in the Augmentation Office, should be transferred to the respective offices to which they relate;" and by their Minute of the 22d July 1800, this transfer was ordered and was carried into effect, in regard to many important Records (the Ministers' Accounts, &c.), which were then transferred, pursuant to that order, from the Augmentation Office to the Duchy Office of Record. Many of these very Records (thus coming legally and properly into the custody of the Keeper of the Duchy Records) were read in evidence in the said trial of Rowe and Brenton, in which the Duchy had so great an interest, that the Lord Lyndhurst (then His Majesty's Attorney-general) deemed it to be his duty to advise the Duchy to take the legal proceedings altogether out of the hands of its lessees (who had had two or three trials of the subject matter in litigation, at an enormous expense in the country) into its own hands, and to insist upon a trial at the bar of the Court of King's Bench, and to pay the whole expense of that trial. The whole of the Records in the year 1800 in the Augmentation Office, exclusively relating to the Duchy, as well as the Ministers' Accounts, &c., would have been removed to the Duchy Office of Record at the same time, if they had been known then to exist: they have since been discovered. The removal was actually ordered 35 years ago. If it was then justified, which it undoubtedly was, why is the order now to be rescinded as to a part only of the Records? It would be very difficult, nay impossible, to allege any other satisfactory reason why all the other exclusive Duchy Records were not transferred as well as the Ministers' Accounts, &c., which were so actually transferred, than that they were not then known to exist. The order is still in existence; its execution has been defective, but is defective only for a reason which ought not to prevent its present execution. If the non-execution of the order for the reason above-mentioned has rendered the order obsolete, surely it ought to be revived, not rescinded. The order remains in full force, although defectively executed. The attempt to raise any distinction between these two classes of Records would be a manifest absurdity. Who would ever think of searching in the Augmentation Office for Records exclusively relating to the Duchy, until he had ransacked the Record Office of the Duchy (their only proper place of deposit) for that purpose in vain? I am informed that during a trial at Westminster (Crease *v.* Barret), before Lord Lyndhurst, when an inquisition could not be found in the Duchy Office by one party, but was found elsewhere by the other, his lordship was pleased to observe, "If it is not in its proper repository, the Duchy Office, there can be no blame for not finding it, for how can the public know where else to search?" The reason of their improper deposit in the Augmentation Office has been sufficiently explained in the letter which I first had the honour to address to you.

As the Record Office in the Duchy Court of Lancaster is mentioned in the order of the Commissioners, it may not be improper here to allude to the Duchy of Cornwall, as standing precisely in a similar situation to the Duchy of Lancaster. No individual will attempt to deny but that there are in the Duchy of Lancaster public Records, properly so called, which are open and accessible to the public for every purpose for which a Record or its exhibition can possibly be wanted. But no man in his senses will ever contend that there are not also in the Duchy of Lancaster office documents (such as the private minutes and orders in council of the Chancellor and Council, &c., and various other documents of a confidential and private nature) which are not public Records, and which therefore the public can have no right whatever to see: such is precisely the case with the Duchy of Cornwall.

I may here observe that the conventionary tenants of the Duchy of Cornwall, in their answers, almost always refer to the Records in the Duchy Office in the following or similar terms, viz.: "As by the Records thereof remaining with the auditor of the Duchy of Cornwall, unto which, for the more certainty, we refer ourselves."

4thly. If I might be permitted, without offence, to say one word respecting the present and succeeding persons holding the office of Keeper of the Records in the Duchy Office of Record, I would beg to protest against the justice of those reasons which I understand are likely to be assigned for a noncompliance with the Royal wish. I should beg leave to say that if I were to assent to their justice I should acquiesce both in my own crimination and that of my successors in office. For what is the reason assigned? Why, "that there are suits in agitation, and likely to be, wherein the Duchy may have an interest." What is this but imputing, by necessary implication, to the Keeper of the Records in the Duchy (be he whom he may) the probability of dishonesty in the discharge of his public duty as such. The reason assigned for the non-removal of one-fiftieth part only of the Duchy Records now improperly in the Augmentation Office (as avowed by the Commissioners of Public Records by their conduct in 1800), is a reason which by necessary implication would impute dishonesty in the Keeper of the Duchy Records in the discharge of his public duties as to the other 49-50th parts of the public Records (exclusive of those removed

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Records relating to the Duchy of Cornwall.

35 years ago by the orders of the Commissioners themselves) which are avowedly and legally in custody as such.

I beg leave here to state as a fact that the trial of Rowe and Brenton (in which the Duchy had so great an interest) lasted six days in the Court of King's Bench; that I attended incessantly throughout this whole period with all my Records, (which, for readiness of access were placed in the Duchy Court of Lancaster, and filled that court,) but I never once heard an insinuation or a whisper that all these Records were not in proper custody. The whole bench of judges unanimously declared they were.

The sum paid by the King to the Keeper of the Augmentation Office by Mr. Illingworth for his searches, and inspection for copies or extracts of the Records in this office, will be found (it is believed) to have amounted to a considerable sum.

I would venture to inquire whether any person whatever has a right to imply dishonesty in the discharge of a public duty any more in the keeper of the Records of the Duchy than in the keepers of the Records in the Augmentation Office itself, the Tower, the Chapter House, or the Rolls. I would venture to inquire whether cases might not occur (more or less frequently), in which the keeper of the Records at one or other of these offices, might not in some manner or other (no matter how) be interested in favour of one of the two litigant parties to a suit, in which a reference to the Records in his custody might be necessary. Is it to be assumed by implication or otherwise that in such a case the keeper of the Records would act a dishonest part, in the discharge of his public duty, by secreting or withholding from the inspection of the other of these two litigant parties any Record, the production of which would operate in his favour?

I imagine (I may be in error in the supposition) that the King is the legitimate custos of the Records in his kingdom, and that His Majesty *de jure*, and by virtue of his just prerogative, may have them placed in whichever of his repositories for Records he may think proper, it being always to be presumed that His Majesty, in the exercise of this prerogative, would have a due consideration to the convenience of his subjects.

It has been a favourite idea of mine for more than 40 years (but which I now despair of living to see accomplished), that all the public Records of the kingdom, or rather in London, should have but one place of deposit, which should be conveniently situated for the ready access of every individual who may now have to hunt for the Record which they may want through many offices of Record, not only at great personal inconvenience and loss of time, but at the great expense attending a laborious search through these separate offices. The incalculable benefit which the public would derive would very far outvalue the expense which Parliament might incur in having such an establishment; but until, if ever, such an arrangement be accomplished, each Office of Record should of course remain in possession of its own muniments.

I imagine that the King has a perfect right (if it should so please him) to inspect, or copy, or extract his own Records free of expense, although the practice has been otherwise, the Crown having, through its various solicitors of public offices, (most liberally) consented to pay the same for them as any private individual; and when I inform you that Mr. Cole of the Augmentation Office has received in payment from the Duchy, between the 6th February and the 29th December 1835, no less a sum than 112 *l.* 9 *s.* 11 *d.*, I have no hesitation in saying that this consideration alone would be a sufficient inducement to have the Records (exclusively Duchy) in the Augmentation Office transmitted to the only proper place (in the opinion of my Lord Lyndhurst) for their deposit.

The reason of Mr. Caley's opposition to this measure latterly, is obviously one of self-interest altogether, and is therefore entitled to no weight whatever; he might probably lose some fees of office by the transfer, but his objections were not made in the first instance, when, in 1800, above 400 rolls, and some books, were removed to the Duchy Office, by order of the Commissioners of the Public Records, and in his printed report on the Augmentation Office, he returns, "That the Ministers' Accounts, &c., belonging to the Duchy of Cornwall, had been transferred to that office."

I trust the foregoing reasons (coupled with those contained in the two former letters which I have had the honour to address to you) will prove satisfactory to the Commissioners of the Public Records, and induce them to comply with His Majesty's wishes so decidedly, clearly, and unequivocally expressed in the letter to you from Sir Herbert Taylor.

But in any event, and whatever may be the result of the application which I have had the honour to address to the Commissioners on the Public Records, through you, I have to request that in coming to a decision upon the application, they will be pleased to cause my letter to you of the October last, Sir Herbert Taylor's letter of the January, and my letter of the instant, and my present letter, to be inserted upon the Minutes of their Board.

I have the honour to be, my dear Sir,
Very sincerely yours,
George Harrison,
Keeper of the Records of the Duchy of Cornwall.

Charles Purton Cooper, Esq.,
Sec. Rec. Com.
&c. &c. &c.

New Boswell Court, Lincoln's-Inn,
January 30th, 1836.

My dear Sir,

I AM commanded by His Majesty's Commissioners on the Public Records of the kingdom to inform you, that on Wednesday they carefully and anxiously considered your application

application for the removal of the Records, mentioned in your different letters, from the Augmentation Office to the Office of the Duchy of Cornwall, and upon reference to the terms of the Commission appointing them, and upon inquiry into the nature of the Records, which are clearly part of the Records of the Court of Exchequer, they have come to the conclusion that they have no authority to make any change in the custody. Mr. Baron Parke and Mr. Justice Bosanquet gave much attention to the matter, and they consider that the order of 22d July 1800 was irregular.

The Board have directed all your letters, as well as that of Sir Herbert Taylor, to be entered upon the Minutes of their proceedings.

I have the honour to be, my dear Sir,
Your faithful servant,
(signed) *C. P. Cooper.*

Sir George Harrison.

P. S. I am directed to send a copy of this letter to Sir Herbert Taylor.

New Boswell-court, Lincoln's-Inn,
February 2d, 1836.

Sir,

By the direction of the Commissioners on the Public Records of the Kingdom, I inclose to you, for His Majesty's information, a copy of a letter written to Sir George Harrison, respecting the recent application for changing the custody of certain Records. I am at the same time directed to request that you will be so good as to represent to the King the great regret felt by the Commissioners, at finding that they possess not the authority which might have enabled them to comply with the intimation of His Majesty's wish upon this subject.

I have the honour to remain, Sir,
Your obedient humble servant,
(signed) *C. P. Cooper.*

Sir Herbert Taylor,
&c. &c. &c.
Brighton.

No. 4, Spring Garden Terrace, 3d February 1836.

My dear Sir,

I have received the honour of your letter of the 30th ult.

I bow with submission (but certainly without conviction) to the determination of His Majesty's Commissioners on the Public Records of the Kingdom, on my application to them through you in October last. I am not at all convinced, and therefore I cannot, by any means, acquiesce in the justice of their determination; because the reasons which the Commissioners have been pleased to assign for it appear (in my humble judgment, and upon the fullest and most anxious consideration which I have been enabled to give to the subject) to be wholly insufficient to justify it.

It is a very great and decisive satisfaction to my mind, that my very humble opinion upon this subject appears to have received support and confirmation from that expressed by Lord Lyndhurst in the trial before his Lordship, in the case of Crease and Barret, in the Court of Exchequer, wherein his Lordship appears to consider the Duchy Office of Record as the only proper repository for Records relating to the Duchy; and when I see in the list of His Majesty's Commissioners on the Public Records, in the year 1800 (besides the great officers of state), the names of Sir Richard Arden (afterwards Lord Alvanley), of Sylvester Douglas (afterwards Lord Glenbervie), of Sir John Mitford (afterwards Lord Redesdale), of Sir William Grant (late Master of the Rolls), of the Lord Advocate of Scotland, and of Charles Abbott, Esq. (afterwards Speaker of the House of Commons, and finally Lord Colchester), all of whom I had the honour of personally knowing, and of being personally cognizant of their talents, judgment and wisdom, I never can consent so far to disparage the memories of those high, honourable and wise personages (who are none of them alive to vindicate the propriety of their own conduct), as for a moment to entertain the supposition they had not well considered every subject before they acted, or that they would ever do or sanction the doing of any act whatever which was improper or irregular.

By their minute of the 22d July, they most justly and properly, as I humbly conceive, intended to order, and did in fact order, the whole of the Records in the Augmentation Office, exclusively relating to the Duchy, to be removed to the Record Office of the Duchy; and the whole would then have been removed, if the whole had been known then to exist; but the remaining part (the removal of which has been now unsuccessfully solicited) would, as well as the Ministers' Accounts, &c., then have been actually removed to the Duchy Office, if then they had been known to exist: but they have been discovered since this order was given.

Requesting that His Majesty's Commissioners on the Public Records will do me the honour to direct that this letter, as well as my primary letters, and that of Sir Herbert Taylor, may be recorded on the Minutes of their Board,

I have the honour to be, my dear Sir, your very faithful servant,
Geo. Harrison,
Keeper of the Records of the Duchy of Cornwall.

Appendix (M.)

No. 2.
Records relating to the Duchy of Cornwall.

— No 2. —

Dear Sir, No. 4, Spring Garden Terrace, 7 May 1836.

I DID not know until the day before yesterday that you were a member of the Committee of the House of Commons on the Public Records, or I should have taken the liberty of addressing you before.

I now address you as a member of the Record Committee of the House of Commons, upon a subject on which I feel of course a natural anxiety, as keeper of the Records and other muniments and documents of various descriptions in the office of the Duchy of Cornwall. I trust you will excuse the liberty I have taken.

I am desirous to prevent any inferences being drawn from the evidence taken before the Committee, which are not well founded, as to the perfect accessibility which the public may have (and to the best of my belief actually have) to search for, and inspect and to extract from or copy all such Records in the Record Office of the Duchy, as the public universally have any right to see, &c.

I take the liberty of referring you to my letters to the Secretary of the Commissioners on the Public Records (which I have reason to believe the Committee have before them), and of sending you my order (as keeper of the Records in the Duchy Office) respecting the Records there; also copy of the joint opinion of Lord Abinger, now Lord Chief Baron of the Court of Exchequer (then Sir James Scarlett, the King's Attorney-general); Sir Nicholas Tindal, now Lord Chief Justice of the Court of Common Pleas (then the King's Solicitor-general); and of the Attorney-general of the Duchy of Cornwall, which was taken for the information and guidance of the officers of the duchy, as to what description of Records the public universally had a right to search for, &c. &c. &c. and what description of the muniments or documents under the keeper's custody the Duchy Office of Record had a right to withhold from public inspection, &c. &c. &c. This joint opinion was taken previously to the trial of the great cause of Rowe and Brenton, which was tried at bar, in the Court of King's Bench, in Michaelmas Term, in the 9 Geo. 4, which lasted six whole days, and which was terminated (according to the unanimous opinion of Lord Tenterden and the other judges of that court) successfully for the duchy rights.

According to the unanimous opinion of his Lordship and the other judges on that trial, the Record Office of the Duchy of Cornwall, under the only proper definition and signification of a public Record, and in the only proper light in which a public Record ought to be considered, was decided to be as much a public office of Record (as to all muniments which are essentially Records) as any other office of public Record in London. There cannot exist a stronger proof of the fact, than that our enrolment-books were admitted to be read in evidence upon that trial. It would be the very height of absurdity to imply from that decision, or to suppose that the private minutes of the proceedings of the Commissioners or other officers of the duchy, or any other documents of a similar nature, are to be open to the public inspection.

The real questions are,

1st. What is a public Record, essentially such, and therefore accessible to all the public, who have a right to search for and inspect, to make extracts from, or to copy, without any distinction of persons?

2d. What is that description of Record, or muniment, or document (however denominated), in regard to which a particular portion only of the public have such right? as, for instance, the copyhold or assessionable tenants of a manor, who have a perfect right to search for and inspect, to make extracts therefrom, or to take copies thereof, even as against their lord. The public generally have no such right.

3d. What are those muniments or documents which are not accessible to the public, of any description? Under this 3d head I take leave to refer to the joint opinion of Lord Abinger, Sir Nicholas Tindal, and the Attorney-general of the duchy.

From the questions put to my deputy, and his answers, it might possibly be inferred that the practice of refusing to allow the public to have access to the catalogues and indices, &c., is a practice peculiar to the Record Office of the duchy, and not existing in the other unquestionable offices of Record. I have good reason to believe (and it is with the utmost respect and deference, and I hope without offence, that I make the statement) that any such inference would be wholly incorrect. I am informed, and believe upon unquestionable authority, that catalogues, indices, &c., are never exhibited, and are therefore not accessible to the public, according to the invariable rule and practice of every Record Office in London. They are private documents, made out and compiled for the satisfaction of the Record keeper, and to facilitate his researches, and are never accessible to the public. If any Record is applied for, the Record keeper or his clerks alone refer to the catalogue or index, to ascertain whether the Record is in the office; but the applicant has no right whatever to search in the catalogue or index; if he does so, it is by the voluntary permission of the Record keeper, and may unquestionably be refused.

From the questions put by the Committee (it is with equal respect and deference, and equally I hope without offence, that the present humble remark is made) an inference might be

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be drawn that the applicant would be refused the inspection, extract or copy of any Record, muniment or document which he would have a right to inspect, &c. &c. &c., but which might be unfavourable to the duchy. The keeper of the Records humbly takes leave to say that any such inference would be wholly incorrect. If the Record, muniment or document was of such a description that the applicant had a right to search for and inspect, extract or copy it, it would be just as much open and accessible to him as at any other Record Office in London, whether it were unfavourable to the duchy or not, and wholly without reference to any such consideration,

With much better reason, and with greater justice, might such a corrupt motive be imputed to every lord of every manor having copyhold tenants, throughout the kingdom. A copyhold tenant of a manor has a right to inspect, &c. &c. &c., the Court Rolls of his lord. Be the particular Record (denominate it what you please) upon the Court Rolls, which the copyhold tenant wishes to inspect, &c. &c. &c., unfavourable to his lord's interest or not, the tenant has a perfect right to inspect, &c. &c. &c., the Court Rolls, and the lord, unless corruptly, has no right to refuse the permission. In a case unfavourable to the lord, he has a manifest direct private and personal interest, greater or less, to withhold from his tenant a sight of the Court Roll unfavourable to the lord's interests. But does the lord corruptly do so? It is to be hoped, and I really and conscientiously believe, that he does not.

As to the keeper of the Records in the duchy, he has no private or personal interest of any kind to gratify; he has a public duty to perform; a duty, in the first instance, to the king, or the duke, his gracious master, to whom his zeal, but not his dishonesty, is due; and at the same time he has a duty to perform to the public, to whom his zeal (as keeper of the public Records, although not otherwise) and his honesty are equally due. What right, therefore, has any person whatever (be he whom he may) to impute to the keeper of the Records in the Office of the Duchy of Cornwall, a corrupt motive, which might equally be imputed to every other keeper of public Records in the case mentioned in my letter to the secretary of the Commissioners, and which might, with much better reason, and with infinitely greater justice, be imputed to every lord of every manor throughout the kingdom? In real truth, none whatever. The same reason, if it be a good one, would be (as it has been shown to be) of very general and extensive application.

It might also be inferred that a distinction existed between the Duchies of Lancaster and Cornwall, as to the nature of the Records, muniments or documents in the office of the one or of the other, and in their relative accessibility to the public; any such inference would be equally incorrect. There is in fact no distinction whatever in these respects; they stand precisely upon the same footing as to what are, and what are not, Records, and what are and what are not open and accessible to the public.

I take the liberty also of sending you the copy of a letter which I addressed to Sir Charles Lemon on the 8th of March last, of which I believe that Sir Matthew W. Ridley also has a copy.

You are perfectly at liberty to make what use you please of this communication. My only object in troubling you is, that no erroneous impressions may exist in the minds either of the Committee or of the public upon these subjects.

I have the honour to be, dear Sir, your very faithful servant,

Sir Robert Harry Inglis, Bart., M.P. *George Harrison.*

(A.)—OPINION respecting the Inspection of the DOCUMENTS and PAPERS in the Duchy of Cornwall.

WE are of opinion that the parties have no right to the inspection of any document that does not relate to the subject in dispute, or that is not of a public nature.

Of the first description is the book called the Tertia Pars, which we therefore think ought not to be submitted to their inspection.

We apprehend the Indices and Calendars are of the second description, having been compiled by the officers of the Duchy for their own convenience in making occasional researches.

We should not, however, object to the inspection of these as a matter of courtesy, if they were confined to the matters in dispute; but being informed that they contain various other matters, some of which are not of a public nature, we think this a sufficient reason for withholding them. As to the correspondence of the Council, we conceive it to be of a private nature, relating to a particular transaction, and that the parties have no claim to inspect it.

(signed) *J. Scarlett.*
N. C. Tindal.
W. Harrison.

Westminster, 15 May 1827.

Appendix (M.)

No. 2.
Records relating to the Duchy of Cornwall.

(B.)—ORDER of the Keeper of the Records in the Office of the Duchy of Cornwall.

DUCHY OF CORNWALL OFFICE RECORD FEES.

THE keeper of the Records in the office of the Duchy of Cornwall directs that Mr. Frederick Devon, the Record clerk in that office, should forthwith prepare and hang up in a conspicuous part of the office a scale of fees to be received from the public for all searches in the Record Office, and for all copies or extracts of the Records in the Record Office; and he directs that such scale be according to the lowest scale of fees received in any of the Record Offices in London. The keeper of the Records in the Duchy Office, to whom, of course, all fees receivable on this account are legally due, will personally relinquish, during his occupancy of the office, all such fees; and he directs that their distribution shall be in the following manner; namely, one-half thereof shall go to Mr. Abbot, his deputy in the said office; one-fourth part thereof to Mr. Tucker, the first clerk in the said office; and the remaining fourth part thereof to Mr. Frederick Devon, the Record clerk in the said Duchy; and he directs, at the end of every quarter, an account be made out and delivered to him by the Record clerk of the fees received (distinguishing each fee and on what account received) in the Record Office in the course of the preceding quarter, and of the distribution thereof, according to the scheme before directed.

(C.)—COPY of LETTER to Sir *C. Lemon.*

My dear Sir Charles, No. 4, Spring Garden Terrace, 8 March 1836.

THAT no misunderstanding may arise in the minds of the Committee on the Public Records, of which you are a member (in case the refusal of the Duchy to permit Mr. Cole to inspect a document in the Surveyor-general's Office should be brought before it, but I do not desire it otherwise), I take the liberty of sending to you the following statement of facts, which is taken from authentic documents, and may therefore be relied upon.

On the 31st December 1835 Mr. Cole wrote to Mr. Abbott, stating that he was authorized, on behalf of Mr. Trevannion, of Caerhays, to request permission of the Duchy of Cornwall to inspect, and, if requisite, to be allowed to possess a copy of a survey of the manor of Treverbyn, made about the 17th Jac. 1.

It is necessary that I should explain the nature of the document in question. It is not in the custody of the keeper of the Records of the Duchy, but in the custody of the surveyor-general, and kept in his office: it is not, therefore, a public Record, of which the public have any right to have the inspection, or a copy, or extract; but it is a document or muniment in the custody and office of the surveyor-general, of which Mr. Trevannion, as holding the uninclosed wastes of this manor, in common with the Duchy and the tenants of the manor of Treverbyn Courtenay, has a perfect right to inspect, &c. The distinction between those Records which the public have a right to inspect, copy or extract, and those which are of a private nature, and over which the public have no such right, is clearly defined in an opinion given some years since by the present Lord Abinger, then Sir James Scarlett, and the law officers of the Duchy.

On the 11th January 1836, Mr. Cole addressed another letter to Mr. Abbott, referring to the former application, and requesting an answer.

In the meantime, the Duchy Office learnt, from undoubted authority, namely, the authority of Mr. Trevannion himself, that no person whatever had authority from him to inquire at the Duchy Office.

On the 26th January 1836 Mr. Abbott wrote to Mr. Cole, inquiring upon what authority he made the application in the name of Mr. Trevannion, that gentleman having stated "that no person whatever had authority from him to inquire at the Duchy Office."

On the 27th January 1836 Mr. Cole referred Mr. Abbott to Mr. Coode, of Guilford-street, as his authority for the application, and desiring to be informed whether the request contained in his letter of the 31st December and 11th January was granted or refused; and also to be informed of the grounds of the delay.

On the 29th January 1836 Mr. Abbott was instructed to inform Mr. Cole, that Mr. Trevannion's name having been used without his authority, the application made by him could not be complied with.

The Records which the public have any right to inspect, copy or extract, are just as open and accessible to the public in the Record Office of the Duchy as in any other Record Office in London.

I have the honour to be, my dear Sir Charles, your very faithful, humble servant,

Sir Charles Lemon, Bart., M.P. (signed) *George Harrison.*
&c. &c. &c.

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Appendix (N.)

LETTER of *R. Byham*, Esq., Secretary to the Board of Ordnance, in Answer to the Application of the Record Commissioners, that the Gunpowder under Cæsar's Chapel, at the Tower of London, might be removed.

III.

Records in Cæsar's Chapel, Tower of London, Magazine of Gunpowder. *See* Notes of Business for last Board, No. VI. p. 40. The Secretary has received the following Letter upon the subject.

Sir, Office of Ordnance, 10 December 1832.

I am directed by the Master-general and Board of Ordnance to acknowledge the receipt of your letter, dated the 19th ult., signifying the wish of the Commissioners on the Public Records, that immediate orders may be given for the removal of the gunpowder from the magazine under the White Tower in the Tower of London.

In answer thereto, I am commanded to acquaint you, for the information of the Commissioners, that the magazine in question contains the proportion of ammunition considered necessary for the defence of the Tower, in case of attack, and also a large quantity of small-arm cartridges for the supply of troops on any emergency. The Master-general and Board consider it absolutely necessary that this store should be kept up, experience having proved that an attack upon the Tower should not be considered so visionary as to warrant the abandonment of the necessary means for defending it: and with regard to the store of small-arm ammunition, experience, and that of a recent date, (the Master-general and Board allude especially to the Bristol riots) has also shown that there is no place from whence ammunition can be dispatched to any part of England with equal rapidity as from the Tower; the early receipt of the Master-general and Board's orders on the one hand, and the ready communication with the proprietors of every sort of conveyance on the other, affording facilities which are not possessed in an equal degree at any other station whatever.

The Master-general and Board would therefore regard the removal of the store of ammunition as a serious injury to His Majesty's service, by rendering the department less efficient in time of need than it would otherwise be.

It may however be remarked, by the Commission on the Public Records, that the object sought is not the removal of the ammunition from the interior of the Tower, but only from the precise spot, underneath the Record rooms, where it is now deposited:—to which the Master-general and Board beg to reply, that the same quantity of ammunition in any other spot within the Tower would, on the supposition of its explosion, bury the Records under the ruins of the building containing them; and the Master-general and Board, therefore, do not think it would be prudent to remove the powder from a safe place, where it now is, to one less safe, though a little more distant from the Records.

The Master-general and Board's opinion is, that the magazine in question is perfectly safe; but in order that so important a matter might be fully considered, they have called upon their officers within the garrison to state their opinion on the subject, grounded on their local and professional knowledge, particularly the officer commanding the Royal Artillery, who, after minutely inspecting the magazine, entirely concurred with the Master-general and Board, both as to its safety, and as to the inexpediency of giving it up.

The Master-general and Board would beg permission to remark, that the Public Records preserved in the White Tower, whatever may be their importance, can scarcely be of greater than that of the large store of small arms, the crown and regalia of the kingdom, and the lives of His Majesty's troops and other inhabitants within the garrison; all of which are equally exposed to destruction if the magazine should be blown up, and all of which are considered as secure under the existing magazine regulations.

If, however, the Commissioners should view this differently, and consider the safe custody of the Records within a fortified place as inconsistent with the keeping a store of powder necessary for the defence of that place, the Master-general and Board beg to suggest, whether it would not be more advisable and consonant with what is due to the first consideration, the security of the Tower, that, under all circumstances, the Records should be removed rather than the ammunition.

C. P. Cooper, Esq.,
Secretary to the Commissioners of
the Public Records.

I am, Sir,
Your most obedient humble servant,
R. Byham.

Appendix (O).

Appendix (O).

Mr. Hardy's Specimens and Estimate of Calendars of Chancery Rolls in the Tower.

MR. HARDY'S SPECIMENS AND ESTIMATE OF PROPOSED CALENDARS OF THE CHANCERY ROLLS PRESERVED IN THE TOWER.

In submitting the following Estimates of the probable cost and time necessary for the completion of a perfect and satisfactory Calendar of the Rolls of Chancery in the Tower, from the commencement of the reign of Edward I. to the end of the reign of Edward IV.; it may be proper to show, why I have not begun with the reign of Henry III.

My reasons for not including, in those Estimates, the reign of Henry III. are these; namely, that a complete transcript of the Rolls of Henry III. can be made at a cost of about 1,200 *l.*; and, more especially, because they can be copied in a shorter time, and at less cost, than it would take to have them calendared.

The Calendars proposed to be made, will contain the names of all persons and places mentioned in each instrument, with the date, and a brief account of its nature, as in the following specimens:

Patent Rolls.

Rot. Pat. 13 Edw. 1. p. 1.—Memb. 8.

Licence to Queen Elianor, the King's Consort, to give and assign to the Friars Preachers of Chichester, a plot of ground, contiguous to their close there, which she had bought of John le Bel.—*Chichester*, 28 July.

Grant to William Arnaldi for 10 years of 50 librates of land and rent issuing out of the wardships belonging to the King.—*Wolmer*, 3 August.

Grant to Adam de Bavent, confined by illness, that he shall not during life be placed on assizes, &c., nor be made sheriff, coroner, &c., against his consent.—Same date.

Grant of customs to the Burgesses of Coventry for paving that town; from Michaelmas next coming for three years.—Same date.

Inspeximus and confirmation of the Charter by which Robert de Saint John, son and heir of William de Saint John, acquits the Prior and Convent of Boxgrave and their tenants of the assize of bread and ale, and of all suit of the said Robert's court of Halnaker and of his other manors.—Same date.

Letters of safe conduct for one year for certain Monks and Conversi, sent by the Abbot of Waverley to Yarmouth, to procure herrings, &c. for the use of their house.—Same date.

Charter Roll, 12 Edw. 2.

Grant to John Giffard of Chilynton and his heirs for ever, of free warren in all his demesne lands of Chylynton and Walton, in the county of Stafford.—*York*, 22 of May.

Grant to Roger Mortimer, of Chirk, and his heirs for ever, of a market on every Wednesday, at his manor of Wynfreton in the county in Hereford, and two fairs there every year: one on the eve, the day and the morrow of St. James; the other on the eve, the day and the morrow of St. Crispin and St. Crispian: and of a market on every Thursday, at his manor of Blaunchelaunde in South Wales; and two fairs there every year, one on the eve, the day and the morrow of the Assumption of the Blessed Virgin; the other on the eve, the day and the morrow of the Nativity of the same virgin; with all liberties and free customs to such market and fairs pertaining.—*York*, 20 May.

Grant to Godefry Fitz Henry of a messuage and one carrucate of land, with appurtenances in the Town "de Saltu Salmonis," to have and to hold to him and his heirs for ever, at fee farm; rendering yearly to the Exchequer at Dublin four marks.—*York*, 6 June.

Close Roll, 26 Hen. 6.

Memb. 10.

Writ of Ousterlemain addressed to the Sheriff of the county of Stafford, in respect of the manor of Cubleston, the manor of Acton Trussell, and the moiety of the manor of Sherefhales, granted by William Mosse, parson of the church of Langeport, and Walter Sevan, parson of the church of Pembrugge, to Isabelle Pembrigge and the heirs begotten between her and Sir Fulc Pembrigge, Kn^t., with remainder to William, son of Laurence Trussell, and his heirs and assigns for ever. The premises being held of others than of the King, and having been seized into the King's hands upon the death of the said Isabella without heir.—*Westminster*, 3 June.

Similar writ to the Sheriff of Shropshire, in respect of the moiety of the manor of Sherrifhales granted and holden as above, and seized into the King's hands for the same reason. —Same date.

Livery

Livery of seizin to the Escheator in the county of Southampton, for John, son and heir of William Horwode deceased, tenant in chief, in respect of all the lands and tenements whereof his father died seized in that bailiwick. The said John having proved his age before the said Escheator.

Grant from Thomas Bele, citizen and tailor, of London, to Walter Moyle, Serjeant-at-Law; Master Philip, ap Rys, Clerk; Thomas Kenegy, notary; Thomas Baccheford, hostel keeper, and Richard Toll, tailor, citizens of London, of all his goods and chattels, as well in the City of London and suburbs thereof as elsewhere, within the realm of England, to dispose of at their free will and pleasure, without further claim on behalf of the said grantor or his heirs for ever.—*London*, 1 July.

Fine Rolls.

Rot. Fin., 34 Edw. 1.—Memb. 2.

Writs addressed to the Sheriffs of York, Nottingham, Norfolk and Suffolk, commanding them to arrest Pain Tybetot, who departed from the King's army in Scotland, without licence, and to seize into the King's hands all his lands, goods and chatells.—*Lanercost*, 18 October.

Similar writs were addressed to various Sheriffs, against Robert de Toney, Gilbert de Clare, Piers Gaveston, Robert de Kendale, Walter de Beauchamp, William de Beauchamp, Giles Argenteyin, Robert Darcy, John de Wateville, Walter de Bermingham.

Writ addressed to the Sheriff of London, informing him that the King understood that certain knights and men at arms have crossed the sea for the purpose of holding tournaments, without his licence, and in contempt of his authority; their bodies are therefore to be arrested and committed to the custody of the Lieutenant of the Tower, and all their lands, goods and chattels seized.—*Lanercost*, 21 October.

The following short Abstract will show the probable cost of calendaring the whole.

	Time of Three Clerks.					Cost of Clerks and Editorship.		
	Years.	*Months.*	*Weeks.*	*Days.*	*Hours.*	£.	*s.*	*d.*
Patent	–	90	3	5	6	9,606	–	–
Close	–	44	–	5	1	4,673	–	–
Charter	–	–	8	1	6	219	4	–
Fine	–	36	1	–	2	3,819	–	–
Vascon	–	5	2	5	3	605	–	–
Norman	–	3	2	–	–	368	–	–
French	–	11	2	–	–	1,2 13	4	–
Liberate	–	5	1	4	6	574	10	–
	16	7	2	4	6	21,077	18	–
Miscel.	2	–	–	–	–	2,640	–	–
Inquisitiones post Mortem, &c., 2 vols.						1,650	–	–
						£.25,367	18	–

PATENT ROLLS.

Time and Cost Estimate of Calendaring.

Reigns.	Time of Three Clerks, employed 300 Days per Year, Eight Hours per Day.				Cost of said Three Clerks, at 2*s.* per Hour.	Editorship each Reign, at 600*l.* per Annum.	Total each Reign.
	Months.	*Weeks.*	*Days.*	*Hours.*	£.	£.	£.
Edward I.	15	1	4	–	888	740	1,628
Edward II.	10	3	1	–	621	518	1,139
Edward III.	36	3	3	4	2,125	1,771	3,896
Richard II.	7	1	1	4	421	351	772
Henry IV.	5	2	2	4	323	269	592
Henry V.	2	2	3	6	153	127	280
Henry VI.	8	1	5	–	487	406	893
Edward IV.	3	3	2	4	221	185	406
	90	3	5	6	5,239	4,367	9,606

Appendix (O).

Mr. Hardy's Specimens and Estimate of Calendars of Chancery Rolls in the Tower.

FINE ROLLS.

Time and Cost Estimate of Calendaring.

REIGNS.	TIME of Three Clerks, employed 300 Days per Year, Eight Hours per Day.			COST of said Three Clerks, at 2 *s.* per Hour.	EDITORSHIP each Reign, at 600 *l.* per Annum.	TOTAL each Reign.
	Weeks.	*Days.*	*Hours.*	£.	£.	£.
Edward I.	39	–	–	560	468	1,028
Edward II.	14	3	4	210	175	385
Edward III.	21	4	–	312	260	572
Richard II.	26	2	–	375	312	687
Henry IV.	13	1	–	189	158	347
Henry V.	6	–	2	88	72	160
Henry VI.	16	–	–	230	192	422
Edward IV.	8	1	4	119	99	218
	145	–	2	2,083	1,736	3,819

CHARTER ROLLS.

Time and Cost Estimate of Calendaring.

REIGNS.	TIME of Three Clerks, employed 300 Days per Year, Eight Hours per Day.			COST of said Three Clerks, at 2 *s.* per Hour.	EDITORSHIP each Reign, at 600 *l.* per Annum.	TOTAL each Reign.
	Weeks.	*Days.*	*Hours.*	£. *s.*	£. *s.*	£. *s.*
Edward I.	2	1	4	32 8	27 –	59 8
Edward II.	–	3	7	9 6	7 15	17 1
Edward III.	3	2	7	50 –	41 15	91 15
Richard II.	–	4	1	9 18	8 5	18 3
Henry IV.	–	2	–	4 18	4 –	8 18
Henry V.	–	1	1	2 18	2 5	5 3
Henry VI.	–	2	6	6 14	5 10	12 4
Edward IV.	–	1	4	3 12	3 –	6 12
	8	1	6	119 14	99 10	219 4

FRENCH ROLLS.

Time and Cost Estimate of Calendaring.

REIGNS.	TIME of Three Clerks, employed 300 Days per Year, Eight Hours per Day.			COST of said Three Clerks, at 2 *s.* per Hour.	EDITORSHIP, each Reign, at 600 *l.* per Annum.	TOTAL each Reign.
	Weeks.	*Days.*	*Hours.*	£. *s.*	£. *s.*	£. *s.*
Edward I.		—		—	—	—
Edward II.	–	5	2	12 10	10 10	23 –
Edward III.	17	3	–	252 –	210 –	462 –
Richard II.	8	5	–	126 10	106 –	232 10
Henry IV.	2	3	6	37 16	31 10	69 6
Henry V.	2	4	–	38 –	32 –	70 –
Henry VI.	10	1	6	148 4	123 10	271 14
Edward IV.	3	1	2	46 4	38 10	84 14
	46	–	–	661 4	552 –	1,213 4

959

LIBERATE ROLLS.

Time and Cost Estimate of Calendaring.

REIGNS.	TIME Of Three Clerks, employed 300 Days per Year, Eight Hours per Day.			COST Of said Three Clerks, at 2 s. per Hour.	EDITORSHIP each Reign, at £. 600 per per Annum.	TOTAL each Reign.
	Weeks.	*Days.*	*Hours.*	£. s. d.	£. s. d.	£. s. d.
Edward I.	8	4	4	126 – –	105 – –	231 – –
Edward II.	2	4	8	40 – –	34 – –	74 – –
Edward III.	9	1	–	132 – –	110 – –	242 – –
Richard II.	–	3	–	7 – –	6 – –	13 – –
Henry IV.	–	1	4	4 – –	3 – –	7 – –
Henry V.	–	–	5	1 10 –	1 5 –	2 15 –
Henry VI.	–	–	9	2 10 –	2 5 –	4 15 –
Edward IV.						
	21	4	6	313 – –	261 10 –	574 10 –

NORMAN ROLLS.

Time and Cost Estimate of Calendaring.

REIGN.	TIME Of Three Clerks, employed 300 Days per Year.	COST of said Clerks, at 2 s. per Hour.	EDITORSHIP at 600 *l.* per Annum.	TOTAL.
	Weeks.	£.	£.	£.
Henry V.	14	200	168	368

VASCON ROLLS.

Time and Cost Estimate of Calendaring.

REIGNS.	TIME of Three Clerks, employed 300 Days per Year, Eight Hours per Day.			COST of said Three Clerks, at 2 s. per Hour.	EDITORSHIP each Reign, at 600*l.* per Annum.	TOTAL each Reign.
	Weeks.	*Days.*	*Hours.*	£.	£.	£.
Edward I.	3	3	–	50	42	92
Edward II.	3	2	–	48	40	88
Edward III.	9	2	–	135	112	247
Richard II.	2	5	3	42	35	77
Henry IV.	1	2	–	19	16	35
Henry V.	–	2	4	6	5	11
Henry VI.	2	–	4	30	25	55
Edward IV.						
	22	5	3	330	275	605

CLOSE ROLLS.

Time and Cost Estimate of Calendaring.

REIGNS.	TIME of Three Clerks, employed 300 Days per Year, Eight Hours per Day.				COST of said Clerks, at 2 s. per Hour.	EDITORSHIP each Reign, at 600 *l.* per Annum.	TOTAL each Reign.
	Months.	*Weeks.*	*Days.*	*Hours.*	£.	£.	£.
Edward I.	5	–	2	4	294	245	539
Edward II.	5	2	1	–	319	266	585
Edward III.	16	1	–	4	937	781	1,718
Richard II.	6	3	–	1	392	326	718
Henry IV.	4	–	–	–	230	192	422
Henry V.	1	1	–	–	63	60	123
Henry VI.	3	3	3	4	224	187	411
Edward IV.	1	1	3	4	90	67	157
	44	–	5	1	2,549	2,124	4,673

Appendix (O).

Mr. Hardy's Specimens and Estimate of Calendars of Chancery Rolls in the Tower.

PATENT ROLLS.

KINGS.	ROLLS in each Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In each Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	£. s. d.
Edward I. - -	37	30	60	1,800	66,600	888 – –
Edward II. - -	37	24	45	1,080	39,960	621 – –
Edward III. - -	125	34	25	850	106,250	2,125 – –
Richard II. - -	57	37	10	370	21,090	421 – –
Henry IV. - -	34	38	20	760	25,840	323 – –
Henry V. - -	18	34	13	442	7,956	153 – –
Henry VI. - -	84	29	9	261	21,924	487 – –
Edward IV. - -	59	25	3	75	4,425	221 – –
					£.	5,239 – –

CLOSE ROLLS.

KINGS.	ROLLS in each Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In each Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	£. s. d.
Edward I. - -	35	14	42	588	20,580	294 – –
Edward II. -	22	29	35	1,015	22,330	319 – –
Edward III. - -	71	33	20	660	46,860	937 – –
Richard II. - -	28	35	20	700	19,600	392 – –
Henry IV. - -	18	32	20	640	11,520	230 – –
Henry V. - -	10	25	17	425	4,250	63 – –
Henry VI. - -	40	28	12	336	13,440	224 – –
Edward IV. - -	22	27	8	216	4,752	90 – –
					£.	2,549 – –

CHARTER ROLLS

KINGS.	ROLLS in each Reign.	INSTRUMENTS in each Reign.	COST of Calendaring, exclusive of Editorship.
	No.	*No.*	£. s. d.
Edward I. - -	35	1,617	32 8 –
Edward II. - -	21	927	9 6 –
Edward III. - -	43	1,490	50 – –
Richard II. - -	13	298	9 18 –
Henry IV. - -	12	146	4 18 –
Henry V. - - -	7	87	2 18 –
Henry VI. - -	4	200	6 14 –
Edward IV. - -	7	109	3 12 –
		£.	119 16 –

FINE ROLLS.

KINGS.	ROLLS in each Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In each Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	£. s. d.
Edward I. - -	35	20	78	1,560	54,600	560 – –
Edward II. - -	21	20	32	640	13,440	210 – –
Edward III. - -	52	34	16	544	28,288	312 – –
Richard II. - -	25	30	27	810	20,250	375 – –
Henry IV. - -	15	28	25	700	10,500	189 – –
Henry V. - -	11	32	17	544	5,984	88 – –
Henry VI. - -	40	23	17	391	15,640	230 – –
Edward IV. - -	22	27	13	351	7,722	119 – –
					£.	2,083 – –

Appendix (O.)

Mr. Hardy's Specimens and Estimate of Calendars of Chancery Rolls in the Tower.

VASCON ROLLS.

KINGS.	ROLLS in each Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In each Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	*£. s. d.*
Edward I. - -	20	10	17	170	3,400	50 – –
Edward II. - -	15	16	12	192	2,880	48 – –
Edward III. - -	52	13	12	156	8,112	135 – –
Richard II. - -	16	13	12	156	2,496	42 – –
Henry IV. - -	7	18	9	162	1,134	19 – –
Henry V. - -	5	12	6	72	360	6 – –
Henry VI. - -	25	12	5	60	1,500	30 – –
Edward IV. - -	1	4	2	8	8	—
					£.	330 – –

NORMAN ROLLS.

KING.	ROLLS in this Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In this Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	*£. s. d.*
Henry V. - -	10	40	19	760	7,600	200 – –

FRENCH ROLLS.

KINGS.	ROLLS in each Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In each Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	*£. s. d.*
Edward I. - -	—	—	—	—	—	—
Edward II. - -	5	10	18	180	900	12 10 –
Edward III. - -	42	20	21	420	17,640	252 – –
Richard II. - -	23	22	17	374	8,602	126 10 –
Henry IV. - -	12	21	8	168	2,016	37 16 –
Henry V. - -	10	19	12	228	2,280	38 – –
Henry VI. - -	39	19	10	190	7,410	148 4 –
Edward IV. - -	22	21	6	126	2,772	46 4 –
					£.	661 4 –

LIBERATE ROLLS.

KINGS.	ROLLS in each Reign.	MEMBRANES on each Roll.	INSTRUMENTS			COST of Calendaring, exclusive of Editorship.
			On each Membrane.	On each Roll.	In each Reign.	
	No.	*Average No.*	*Average No.*	*Average No.*	*Average No.*	*£. s. d.*
Edward I. - -	35	9	21	189	6,615	126 – –
Edward II. - -	20	5	21	105	2,100	40 – –
Edward III. - -	41	8	21	168	6,888	132 – –
Richard II. - -	1	15	28	420	420	7 – –
Henry IV. - -	1	7	20	140	140	4 – –
Henry V. - -	1	6	17	102	102	1 10 –
Henry VI. - -	1	6	24	144	144	2 10 –
Edward IV. - -	—	—	—	—	—	—
					£.	313 – –

Appendix (P.)

Appendix (P.)

IRELAND:—LIST OF WORKS PRINTED BY IRISH COMMISSION.

No. 1.
Works printed by Irish Commission.

— No. 1. —

Reports from the Commissioners respecting the Public Records of Ireland; being their 1st, 2d, 3d, 4th, and 5th Annual Reports, with Supplements and Appendixes, folio, 1810—1815, boards, 5 *l.* 5 *s.*

This volume contains returns from the several Record Offices and Repositories, describing their general contents, and the state of the Records in each; with supplemental reports and indexes; and also with engraved fac-similes of ancient Records and plans of buildings, ordered by the Commissioners; affording a complete general view of the state of the Public Records of Ireland at the opening of the Commission in 1810.

Reports from the same Commissioners, being their 6th, 7th, 8th, 9th and 10th Annual Reports; with Supplements and Appendixes, folio, 1816—1820, boards, 3 *l.* 3 *s.*

In addition to the various reports and proceedings of the Commission contained in this volume, the Supplement to the Eighth Report comprises catalogues and inventories of the contents of the Old Birmingham Tower Record Room; of the Parliamentary Record Office; the State Paper Room in the Tower; the Surveyor-general's and Auditor-general's Offices; the Rolls and Chief Remembrancer's Offices; the Quit-Rent Office, and the Prerogative Office.

Reports from the same Commissioners, being their 11th, 12th, 13th, 14th and 15th Annual Reports, folio, 1821—1825, boards, 3 *l.* 3 *s.*

This volume contains an Appendix, comprising abstracts and references to the principal Records and public documents connected with the Acts of Settlement and Explanation, preserved in the Rolls' and Chief Remembrancer's Offices, Four Courts, Dublin.

Inquisitionum in Officio Rotulorum Cancellariæ Hiberniæ asservatarum Repertorium, vol. 1, folio, 1826, boards, 2 *l.* 2 *s.*

The present volume contains a repertory to the inquisitions in the Rolls' Office, and comprizes the several counties within the province of Leinster. The Inquisitiones post Mortem were taken under commissions directed to the escheators of each province, and others joined with them, finding by the oath of a jury what lands any person died seized of; by what rents and services they were held; and who was the next heir, and his age; by all which the right of the Crown to escheat or wardship was ascertained.

N. B.—The text of the Ulster volume has been printed, and will be published in a volume similar to that of the Repertory of the Leinster Inquisitions, as soon as the printing of the Indexes Nominum et Locorum, which is in progress, shall have been completed.

Rotulorum Cancellariæ Calendarium in Hiberniâ, vol. 1. part 1, folio, 1828, boards, 2 *l.* 2 *s.*

Upon the Rolls, of which this calendar is an abstract, are to be found grants of lands in fee or otherwise; creation of honors; charters of incorporation; grants of offices; presentations; denizations; wardships; pardons; antient statutes; King's letters, and other State documents; with several inquisitions, and many deeds, conveyances, letters of attorney, and Chancery proceedings.

N. B.—The first part of the foregoing volume commences with a Patent Roll of the reign of Edward the First, being the earliest extant on Record, and ends with the reign of Henry the Seventh. The second part of the volume, now at press, will contain the reigns of Henry the Eighth, Edward the Sixth, Philip & Mary, and Queen Elizabeth. The second volume, which is a continuation of the Calendar, is also at press, and will contain the reign of James the First.

— No. 2. —

No. 2.
State of Works undertaken.

Present State of the Works undertaken to be Published.

Printed and Published.

Report of the Commissioners, with Supplements, &c. - - - -	1810—1815.
Report of the Commissioners, with Supplements, &c. - - - -	1816—1820.
Report of the Commissioners, with Supplements, &c. - - - -	1821—1828.

Repertory to the Inquisitions of Leinster.
Repertory to the Inquisitions of Ulster.
Calendar of the Patent Rolls of Chancery to Henry VIII.

In Progress of Printing, and Suspended by the Revocation of the Patent of the Commission.

Calendar to the Patent Rolls of Chancery to James I.
Calendar to the Patent Rolls of Chancery to William III.
Collection of Charters to Cities, Towns, and other corporate bodies.

Prepared for the Press, but of which no Parts have yet been Printed.

Repertory to the Inquisitions of Munster.
Repertory to the Inquisitions of Connaught.
Repertory to the Inquisitions of Ireland in the Exchequer.
Catalogue of MSS. in Trinity College, Dublin.

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Appendix (P).

No. 2.
State of Works undertaken.

WORKS COMPLETED, and of which MS. Transcripts were deposited in their respective Public Offices, for Reference.

Repertory to the Decrees in Chancery.
Repertory to the Fiats in Chancery.
Index to the Books of Patents in the Vice-Treasurer's Office.
Index to the Distribution Books in the Vice-Treasurer's Office.
Index to the Wills and Administrations in Prerogative Office.

WORKS PREPARED for the PRESS, or for FAIR TRANSCRIPT, and remaining in MS. Unpublished.

Authentic Edition of the Statutes of the Irish Parliament.
Collection of State Papers relative to Ireland.
Transcripts of Ancient Deeds and Wills found on the Inquisitions of the Chancery and Exchequer.
Classified Schedule and Index of the Parliamentary Papers.
Repertories to the First Fruits, Records, and Royal Visitation Books.

WORKS UNDERTAKEN by the *Irish* RECORD COMMISSION, but taken from under their Superintendence, and executed by the British Government.

Repertory to the Grants of Civil Offices, from the earliest period to the end of the reign of George III. Printed but not Published.

— No. 3. —

COMPARATIVE VIEW of FEES in some of the RECORD OFFICES in *Dublin*.

No. 3.
Fees in Record Offices, Dublin.

OFFICE.	Number of Sheets.	FEE.
		£. s. d.
Registry of Deeds - - -	16	- 9 6
Prerogative - - - -	13	- 10 -
Rolls, Chancery - - - -	12	- 9 8¼
Chief Remembrancer Exchequer -	17	- 17 6
Vice-Treasurer - - - -	8	1 4 8
—— - - - -	12 skins	10 1 -

FEES for RE-ATTESTATION in some of the preceding Offices.

OFFICE.	Number of Sheets.	Original Fee.	Re-attestation.
		£. s. d.	£. s. d.
Registry of Deeds - - -	16	- 9 6	- 1 6
Rolls Chancery - - - -	82	3 6 2¾	- 15 6
Chief Remembrancer Exchequer -	41	1 12 2	- 15 8*
Vice-Treasurer - - - - -	8	1 4 8	- 12 4*
—— - - - - -	12 skins	10 - -	5 - 6*

The fees for re-attestation marked thus (*) are charged at the rate of one-half of the original fee, according to the rules of these Offices in all cases.

Appendix (Q.)

MISCELLANEOUS PAPERS DELIVERED IN BY WITNESSES.

— No. 1. —

Appendix (Q.)

Papers delivered in by Witnesses.

No. 1.
Works printed by Clubs.

CATALOGUE of HISTORICAL WORKS printed for the BANNATYNE CLUB, instituted in February 1823.

*** The publications of the Bannatyne and Maitland Clubs are in quarto.

VITÆ Dunkeldensis ecclesiæ Episcoporum, a prima sedis fundatione, ad an. 1515, auctore Alexandro Myln, ejusdem ecclesiæ canonico. Edited by Thomas Thomson, Esq. - 1823.
The Bannatyne Miscellany, 2 vols. 1824, 1827. Printed under the superintendence of Sir Walter Scott and David Laing, Esq.
Recit de l'Expedition en Escosse, l'an 1546, et de la battayle de Muscleburgh. Par le Sieur

Appendix (Q.)

Papers delivered in Witnesses.

No. 1. Works Printed by Clubs.

Sieur Berteville, au Roy Edouard VI. Edited by Mr. Constable. Printed from the original Manuscript in the Cottonian Library - - - - - - - - 1825
Hectoris Boetii Murthlacensium et Aberdonensium Episcoporum vitæ, 1522 - - 1825
The Historie and Life of King James the Sext; being an Account of the Affairs of Scotland, from the year 1566 to the year 1596; with a short continuation to the year 1617. Edited by Thomas Thomson, Esq., from a MS. in the Library of the Marquess of Lothian at Newbattle Abbey - - - - - - - - - - - 1825
Letters of John Grahame of Claverhouse, Viscount of Dundee; with illustrative Documents. Printed from the original MS. in the Library of the Duke of Buckingham, 1826
DeVita et Morte Roberti Rollok, Academiæ Edinburgenæ Primarii, Narrationes; Auctoribus Georgio Robertson, et Henrico Charteris. Edited by the Rev. Dr. John Lee - 1826
Memoirs of his own Life, by Sir James Melville of Halhill, 1549–1593. Edited, from the original MS., by Thomas Thomson, Esq. - - - - - - - - 1827
Chronicon Cœnobii Sanctæ Crucis Edinburgensis. From the original MS. in the Library at Lambeth-palace. Edited by Robert Pitcairn, Esq. - - - - - - 1828
Thomæ Dempsteri Historia ecclesiastica gentis Scotorum sive de Scriptoribus Scotis. Edited by Dr Irving - - - - - - - - - - - - 1828, 1829
Extract from the Despatches of M. Courcelles, French Ambassador at the Court of Scotland, 1586–1587. Edited by Robert Bell, Esq., Advocate; from a MS. in the possession of the Marquess of Lothian - - - - - - - - - - - - 1828
Siege of the Castle of Edinburgh, 1689. Printed from a MS. in the Library of the Faculty of Advocates - - - - - - - - - - - - 1828
Letters from the Lady Margaret Kennedy to John, Duke of Lauderdale - - - 1828
The History of the Troubles and memorable Transactions in Scotland and England, 1624-1645, by John Spalding. Edited by James Skene, Esq., of Rubislaw, Advocate, 2 vols. - - - - - - - - - - - - - - 1828, 1829
Papers relative to the Marriage of King James the Sixth of Scotland, with the Princess Anna of Denmark, 1589; and the form and manner of her Majesty's Coronation at Holyrood House, 1590. Printed chiefly from original documents in the General Register House - - - - - - - - - - - - - - - - - 1828
A Diary of the Proceedings in the Parliament and Privy Council of Scotland, May 21, 1700; March 7, 1700. By Sir David Hume, of Crossrigg, one of the Senators of the College of Justice; printed from a MS. in the possession of John Orr, Esq. - 1828
Memoirs of his own Life and Times, by Sir James Turner, 1632–1670. Edited from the original MS., by Thomas Thomson, Esq. - - - - - - - - - - 1829
Ancient Criminal Trials in Scotland; compiled from the original records and MSS., with Historical Illustrations. By Robert Pitcairn, Esq., 3 vols. - - - - - 1833
Les Affaires du Conte de Boduel, l'an 1568. Printed from the original MS. in the Royal Library of Drottningholm, in Sweden - - - - - - - - - - 1829
Letters from Archibald, Earl of Argyll, to John, Duke of Lauderdale - - - 1829
The Diary of Mr. James Melvill, 1556–1601. Printed from the original MS. in the Advocates' Library, 4to. - - - - - - - - - - - - - - 1829
Memorials of George Bannatyne, 1545–1608. Edited by Sir Walter Scott, Bart. - 1829
The History of Scotland, from the Year 1436 to 1561: by John Leslie, Bishop of Ross. From MSS. belonging to the Earl of Leven and Melville, and the Bodleian Library - 1830
Memoirs of the War carried on in Scotland and Ireland, 1689–1691. By Major-general Hugh Mackay, Commander-in-chief of His Majesty's Forces. With an Appendix of original Papers. Edited by James Maitland Hog, Patrick Fraser Tytler, and Adam Urquhart, Esqrs., Advocates, from the MS. preserved in the Advocates' Library - 1833
A Diurnal of Remarkable Occurrences that have passed within the country of Scotland, since the Death of King James IV., till the year 1575. From a MS. belonging to Sir John Maxwell, of Pollock, Baronet. Edited by Thomas Thomson, Esq. - 1833
Instrumenta Publica, sive processus super fidelitatibus et homagiis Scotorum domino Regi Angliæ factis, 1291–1296. Edited by Thomas Thomson, Esq., from the originals in the Tower - - - - - - - - - - - - - - - - - 1834
Chronica de Mailros, e codice unico in Bibliotheca Cottoniana servato, nunc iterum in lucem edita. Edited by Joseph Stevenson, Esq. - - - - - - - - 1835
Memorials of Transactions in Scotland, 1569–1573, from a MS. belonging to the University of Edinburgh - - - - - - - - - - - - - - 1836

Books preparing for Publication by the Bannatyne Club.

The Bannatyne Miscellany, vol. ii. part 1.
Munimenta de Mailros: being the Chartulary and original Charters of the Abbey of Melrose.
Chartularium Moraviense; or Chartulary of the Diocese of Moray.
The Accompts of the Chamberlains of Scotland, 4 vols.
The Household Books of James V., 1527–1538.

CATALOGUE of Historical Works printed for the Maitland Club, instituted in March 1828.

The History of the Troubles and memorable Transactions in Scotland and England, 1624-1645, by John Spalding. Edited by by James Skene, esq. 2 vols. - - 1828, 1829

The

Appendix (Q.)

Papers delivered by Witnesses.

No. 1.

Works printed by Clubs.

The History of the House of Seytoun, to the year 1559. By Sir Richard Maitland, of Lethingtoun, knight. With the continuation, by Alex. Viscount Kingstoun, to 1687. Edited by John Fullarton, esq., from two MSS. belonging to the Library of the Faculty of Advocates - - - - - - - - - - - - - - - - 1829

The Diary of John Lamont, of Newton, 1649–1671. Edited by Mr. Kinloch - - 1830

Histoire de la Guerre d'Ecosse, pendant les Campagnes 1548 et 1549. Par Jean de Beaugué. Edited by the late Joseph Bain, junior, of Moriston, esq. - - - - - 1830

Memoirs of the Affairs of Scotland. By David Moysie, 1577–1603 - - - - 1830

A Chronicle of the Kings of Scotland, from Fergus I. to James VI., in the year 1611. Printed from an original MS. in the Library of the Faculty of Advocates - - 1830

Register of Ministers, Exhorters and Readers, and of their stipends, after the period of the Reformation. Printed from a MS. in the General Register House, Edinburgh - 1830

Registrum Metellanum primum - - - - - - - - - - - - - - 1831

Descriptions of the Sheriffdoms of Lanark and Renfrew, compiled about 1710. By William Hamilton, of Wishaw. Edited by John Dillon and John Fullarton, esquires, from a MS. in the Library of the Faculty of Advocates - - - - - - - - - 1831

The Chronicle of Perth, a Register of Remarkable Occurrences, chiefly connected with that City, from the year 1210 to 1668. Printed from a MS. in the Library of the Faculty of Advocates - - - - - - - - - - - - - - - - 1831

A Diurnal of Remarkable Occurrences that have passed within the country of Scotland, since the death of King James IV., till the year 1575. From a MS. of the 16th century, in the possession of Sir John Maxwell, of Pollock, baronet. Edited by Thomas Thomson, Esq. - - - - - - - - - - - - - - - - - 1832

Miscellany of the Maitland Club; consisting of original Papers, and other Documents, illustrative of the History and Literature of Scotland, vol. i. part 1 - - - - - 1832

Burgh Records of the City of Glasgow, 1572–1581 - - - - - - - 1832

Registerium Monasterii de Passelet; Cartas, privilegia, conventiones, aliaque munimenta complectens a domo fundata, A.D. 1163, usque ad A.D. 1529, ad fidem codicis MS. in Bibliotheca Facultatis Juridicæ Edinensis servati; nunc primum typis mandatum. Edited by Cosmo Innes, esq., Advocate - - - - - - - - - - 1832

Ancient Criminal Trials in Scotland, compiled from the original Records and MSS., with historical Illustrations, etc. By Robert Pitcairn, Esq., 3 vols. - - - - - 1833

Cartularium comitatus de Levenax, ab initio seculi decimi tertii ad annum 1397, ad fidem usque apographi Bibliothecæ Facultatis Juridicæ Edinensis servati, cum aliis MSS. collati. Edited by James Dennistoun, junior, Esq. - - - - - - - - 1833

Memoirs of the Wars carried on in Scotland and Ireland, 1689–1691. By Major-general Hugh Mackay, Commander-in-Chief of His Majesty's Forces. With an Appendix of original Papers - - - - - - - - - - - - - - - - 1833

Collections upon the Lives of the Reformers and most eminent Ministers of the Church of Scotland. By the Rev. Robert Wodrow, Minister of the Gospel at Eastwood - 1834

Miscellany of the Maitland Club; consisting of original Papers and other Documents, illustrative of the History and Literature of Scotland, vol. i. part 2 - - - - 1834

History of Mary, Queen of Scots; a Fragment, translated from the original French of Adam Blackwood. Edited by Alexander Macdonald, Esq, - - - - - 1834

Illustrations of Scottish History, from the Twelfth to the Sixteenth Century. Selected from unpublished Manuscripts in the British Museum and Tower of London. Edited by Joseph Stevenson, Esq. - - - - - - - - - - - - - - - - 1834

Records of the Burgh of Prestwick, in the Sheriffdom of Ayr, 1470–1782. With an Appendix and illustrative Notes. Edited by John Fullarton, Esq. - - - 1834

Papers relative to the Royal Guard of Scottish Archers in France, from original Documents. Edited by Alexander Macdonald, Esq. - - - - - - - - 1835

Letters to King James the Sixth, from the Queen, Prince Henry, Prince Charles, the Princess Elizabeth, and her Husband Frederick King of Bohemia, and from their Son Prince Frederick Henry. From the Originals in the Library of the Faculty of Advocates - 1835

Reports on the State of certain Parishes in Scotland, made to His Majesty's Commissioners for Plantation of Kirks, etc., in pursuance of their Ordinance, dated 12 April 1627. From the Originals preserved in His Majesty's General Register House. Edited by Alexander Macdonald, Esq. - - - - - - - - - - - - 1835

Scalacronica. By Sir Thomas Grey, of Heton, Knight; a Chronicle of England and Scotland, from A.D. 1066 to A.D. 1372. Now first printed from the unique Manuscript belonging to Corpus Christi College, Cambridge. With an Introduction and Notes. Edited by Joseph Stevenson, Esq., Sub-Commissioner of Public Records - - 1836

Catalogue or List of the Works printed for the use of Members of the Maitland Club. 1836

The Cochrane Correspondence,—Papers illustrative of the Rebellion in Scotland, 1745. By James Dennistoun, of Dennistoun, Esq.

Index to Memorabilia of the City of Glasgow. Selected from the Minute Books of the Burgh, by John Smith, ygst., Esq. - - - - - - - - - - 1588–1750

Rob Stene's Dream, an Historical Poem, from a MS. in the Leightonian Library, Dunblane - - - - - - - - - - - - - - - - - - 1836

Appendix (Q.)

Papers delivered in by Witnesses.

No. 1. Works printed by Clubs.

LIST of HISTORICAL WORKS in the PRESS, or under the Consideration of the Council of the MAITLAND CLUB.

A Collection of Testaments of remarkable Persons, and of Individuals distinguished in the History and Literature of Scotland, during the 16th century. By Alexander Macdonald, Esq.

Miscellany of the Maitland Club, consisting of original Papers and other Documents illustrative of the History and Literature of Scotland. Vol. ii. part 1.

Miscellany of the Maitland Club, consisting of original Papers and other Documents illustrative of the Ecclesiastical Antiquities of Scotland. Vol. i. part 1.

A Series of Documents illustrative of the History of Scotland during the Reign of Queen Mary, from the Originals in the British Museum, the College of Arms, and the State Paper Office. Preparing for the press, under the superintendence of Joseph Stevenson, Esq., Sub-Commissioner of Public Records.

Miscellaneous Papers, principally illustrative of events in the Reigns of Queen Mary and King James VI. Preparing under the superintendence and Editorship of W. J. Duncan, Esq.

Analecta, from the original MSS. in the Advocates' Library. By the Rev. Rob. Wodrow.

Wodrow's Collections upon the Lives of the Reformers, vol. ii., part 1.

Original Letters and Documents, selected from the Pollock Papers.

Argyle Letters, comprising fac-similes of the Correspondence of the Sovereigns of Scotland and England with that Family.

Chronicon de Lanercost, 1201–1346. Prepared for the press under the superintendence of Joseph Stevenson, Esq., Sub-Commissioner of Public Records.

Registrum Majorum Testamentorum domini vicarii generalis Glasguensis. Preparing for press under the superintendence of John W. Mackenzie and Alexander Macdonald, Esqrs.

Cartularium Episcopatus Glasguensis.

Magnus Rotulus Scotiæ, from the contemporaneous Rolls in the Tower and the Chapter House.

Selections relative to Scotland, during the Reigns of Edward I., II. and III., from the Patent, Close and Charter Rolls.

Accompts of Expenses relative to Scotland, from the Pipe Rolls, Wardrobe Accounts, and Liberate Rolls.

Miscellaneous Documents relative to Scotland, from Originals preserved in the Tower.

Epistolæ Regum Scottorum, from MSS. preserved in the British Museum.

Acta Sanctorum Scotiæ, from MSS. in the British Museum, Bodleian Library, etc.

Documents illustrative of the Life and Times of Wallace, from the British Museum, Tower, &c.

Selections from the Documents in the King's Remembrancer's Office, relative to Scotland.

Correspondence illustrative of the Ecclesiastical History of Scotland at the period of the Reformation, from the Originals in the State Paper Office.

Cartularium Conventus de Caldestreme.

— No. 2. —

No. 2. Reprint of Mr. Cooper's Letter (26 Dec. 1833) to Mr. Holbrooke.

LETTER Printed in Mr. *Holbrooke*'s Evidence (Question 1270), Reprinted here more correctly.

New Boswell-court, Lincoln's Inn,
26 December 1833.

Dear Sir,

YOUR letter of the 21st of November found its way unfortunately into a wrong portfolio, which is the reason that it has so long remained unanswered.

There is no probability of our resuming the Fœdera at present. The only person whose attention is directed to the subject is the Secretary. I am in correspondence with many of the librarians of the Continent, to ascertain what materials for the work are to be found in foreign collections; I suspect not many. Lists are making of those in English libraries, and an accurate catalogue is forming under my directions of the transcripts made by the order of the old Board. I have also had some of the sheets of the printed work collated with the originals at the Chapter House and in the Tower. This is all that has been done, and all that is likely to be done; for I find so little gratitude for my exertions, that I am half disposed to throw up my office, which has been to me the source of no small loss in my profession.

I remain, dear Sir, yours very truly,

Frederick Holbrooke, Esq. *C. P. Cooper.*

— No. 3. —

No. 3. Note to Mr. Thomson's Evidence.

NOTE to Mr. *Thomson*'s Evidence.

I HAVE already alluded to the defective state of our calendars and indexes at an early period. In reference to recent times, I should say that what has been done or is now doing will go far to answer all ordinary purposes of legal research. For example, in the great

great Register of Deeds, already spoken of, there exist general calendars from the earliest period; but in these an extensive research was extremely laborious, and a regular series of alphabetical indexes of grantors and grantees was desirable. With the aid of the Record Commission that object was attained about 20 years ago, in reference to a preceding period of 40 years; and by means of a new arrangement in the office of the Keepers of that Record, authorized by an Act of Parliament, the regular continuation of those indexes has been secured. Nearly the same statement may be made as to the great Judicial Records preserved in the Register-house. To the official calendars which have always existed, are now added a series of alphabetical indexes, by which every ordinary research may be speedily and securely completed. As to the proper Registers of Land Rights, a great deal also has been done, or is now in progress, for the purpose of rendering them more easily accessible. Of these there are four classes; the Registers of Seisins, that of Adjudications, those of Inhibitions, and that of Entails. To the Registers of Adjudications and of Inhibitions, alphabetical indexes for periods of 40 years preceding 1820 have been framed, and with the aid of the Record Commission were printed for official use in three volumes, folio, and are in daily use. These have since been regularly continued in manuscript, and have proved of great utility. An elaborate abridgment of the Register of Entails was framed under the authority of the Record Commission, and brought down from its commencement in 1685 to the year 1811, which was the latest period at the time of its compilation; but its use has hitherto been superseded by an alphabetical index, which, though far from perfect in its form, has been found practically sufficient in reference to a Record which is not in itself very extensive. But the Registers of Seisins are those as to which the greatest defects existed, and the greatest exertions have been required. Agreeably to a plan which was the result of much consideration, great progress has been made in preparing a very complete set of abridgments and indexes; but these have not yet been brought into actual use.

Appendix (R.)

MR. BREWER'S PAPER ON ARRANGEMENT OF THE "MATERIALS FOR HISTORY OF BRITAIN."

A STATEMENT respecting the Disadvantages resulting from following *Bouquet*'s Plan, or any Plan similar to *Bouquet*'s, in the Publication of the early Monkish Chroniclers of this Nation.

All who have had occasion to consult our early Chronicles must be fully aware how much those editions we at present possess of them are defective in judgment and critical sagacity. Before the members of the Record Committee, who have acknowledged the usefulness and necessity of printing Rolls and Records, and of making the stores of historical information accessible to the public, it were needless to enlarge upon the equal necessity of publishing new editions of the Monkish Chroniclers, or of printing such (and there are many) as have never yet been given to the public*. Without the Chronicles, Rolls and Records must be comparatively useless as historical data: they may produce, or substantiate, or verify facts; but they can never supply, what is infinitely of more importance—the connexion of facts—the articulation, complexion and vitality of history. Were, indeed, the Chroniclers in themselves of little value, or the information which they furnished trivial or inaccurate, there might be some reason for considering their publication as a subsidiary object of the Commission. But since they furnish almost the entire materials for the early ecclesiastical and civil history of this country, and much for the mere legal inquirer; since they have frequently preserved public acts and documents which cannot be found elsewhere, they have a particular claim upon the attention of the Commission; to say nothing of the fact, that in point of accuracy and minuteness of detail, the monastic annals of England are surpassed by no other country. But it must be needless to enlarge upon this subject, especially as the principal question now to be considered is, whether Bouquet's plan be the most desirable to be adopted for printing the early historians.

To form a candid judgment of that plan, it will be necessary to state the advantages proposed to be derived from it. By dividing the History of France into periods, and placing together in one volume all the materials relative to one particular period, Bouquet furnished the historical student with all the data (as he conceived) necessary for composing a history of that period. He abridged the labour of arrangement; furnished the student with the readiest means of comparing a passage of one author with passages of a similar import in other authors; placed his materials in chronological order; omitted such passages as appeared to be useless, or occurred *totidem verbis* in another part of the volume; in short, placed all his material before the student in such order, shape and form as he who was intending to write a history of any such period might be supposed would have done previous to actual composition. To execute this plan it became necessary that such Chronicles

* We owe to the spirited exertions of the Maitland and Bannatyne Clubs, the publication of two Chronicles from unique MSS.,—the Scala-Chronica, 4to. pp. 433, and the Lanercost, 2 vols. 4to. (not yet completed); most carefully and accurately edited by Joseph Stevenson, Esq., a Sub-Commissioner of the Record Commission.

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Chronicles as extended beyond any one of these periods, should be divided into as many fragments, corresponding to each period; consequently, part of a Chronicle is placed in one volume, a second part in a second, a third part in a third, and so on.

But it becomes a most important question whether this plan of Bouquet's can really and completely be carried into effect; for otherwise it is productive of great injury and confusion: for this plan professes to give, in a certain compass, all the historical data of a certain period, and that in a form most adapted to the convenience of the reader. But if the materials for any given period be found elsewhere, if they cannot be brought into the compass of those volumes which pretend to give all the information required, this plan not only loses its advantages, but is likewise productive of positive evil. It leads the reader to suppose that he has exhausted all the stock of material necessary for the study of a certain portion, whereas more information may be found elsewhere. For an historical writer does not always confine his narrative to the strict order of time: much is often narrated by anticipation; a general view and important facts are given in an introduction to a history, far removed from the period of which the body of the history treats. How then is Bouquet's plan to be followed here? Are such passages to be violently torn from their context, in order to be inserted, as isolated fragments, into that portion of the Corpus Historicum to which they chronologically belong? Surely not. Their very context is often necessary for the complete understanding of them; besides, such a proceeding would so garble the Chronicle as to render it utterly unintelligible. If, then, such passages are not to be taken from their context, but published with the rest of the work to which they belong, the reader of any single volume of Bouquet is left with this ill impression, that there may be, and probably is, other matter relative to the period upon which he is engaged, besides that contained in this or that particular volume, but which, from the very form of the publication, it is extremely difficult to find. Further, in writers of miscellaneous historical anecdote, some of which are the most valuable of all our early writers, such as Walter Mapes, Gyraldus Cambrensis, Gascoigne's Theological Dictionary, which, though not professedly historical, contain most curious historical information, what is to be done? Are these writers to be cut up into as many fragments as they contain historical anecdota? Such a proceeding would be perfectly preposterous. If not, then the advantages of Bouquet's plan, the chronological arrangement, the compression, the ensynoptical idea of historical material, is utterly lost. The same argument applies to another class of writers, those who have written or collected early poems and epigrams relative to different distinguished personages, such as Serlo and the Prior of Winton. If, therefore, it be impossible to carry Bouquet's plan into effect without almost utterly destroying the Chroniclers, in short re-writing them; and if the failing to carry that plan perfectly into effect lose the very advantages it proposes, it ought certainly to be abandoned, because it is in itself radically and irremediably deficient.

For Bouquet's plan is grounded upon an imperfect view of the study of history; an error not unusual in his time; since it is but lately that critical sagacity has been exercised in the study of early historians, that men have first learned to study and discover the sources of historical writers, before they suffered themselves to be persuaded to the truth of their history. The same criticism which Heyne applied to Diodorus Siculus, Heerm to Plutarch, Lachmann to Livy, and Niebuhr to the Roman Historians in general, must be applied to our early English Historians, before we can study their annals with advantage. But to return: Bouquet's error consists in supposing that a person engaged in writing the history of any particular period, needs only to consult such parts of the writings of the early historians as professedly relate to that period. But a prior and more important task requires to be performed. He who has to draw his information from other historical writers, must first gain certain data for the interpretation of those writers. He must first learn their opportunities of information, how and how far they made use of such opportunities, their prejudices, their general honesty, capacity and character; and until all this can be discovered, he cannot with safety or with certainty make use of any statements with which they furnish him. A Chronicle may be for the greatest part perfectly trustless, and yet contain passages of the utmost importance; or the reverse. Another may be composed partly from written, yet now lost sources, partly from personal information; yet either one or the other may deserve no credit. A Chronicler may generally be very honest, and yet not to be trusted in particular facts; and the like. These observations more especially apply to our English Chronicles; for the greater part of them were, at first, nothing else than skeleton Chronicles taken literally, or abbreviated from some other Chronicle into which the monks incorporated the local information of their own particular neighbourhood. In this way the Chronicle of Marianus Scotus is the basis of the Worcester Chronicle (called Florence of Worcester), and in that preserved at Worcester information touching that diocese prevails; whereas the copy of the same chronicle preserved formerly at Bury St. Edmunds contains information relative to that place not found in the former; and many instances of this kind might be produced. This shows the necessity of consulting with extreme care every MS. of every Chronicle, because though the Chronicler may himself be worthless, some MSS. of his history may contain important local information. The necessity, therefore, of investigating the sources of our early historians is of the utmost importance. But how far is such a study promoted by Bouquet's plan? How is an investigation of this kind, demanding the greatest acuteness, discrimination, soundness of judgment and discretion, to be carried on where authors are so mutilated as they appear in Bouquet; one part appearing in one volume, another part in a second, another in a third, and so on? The Chronicle of St. Denys, for instance, is partly to be found in the 3d vol. of Bouquet, in the 5th, 6th, 7th, 8th, 10th, 11th, 12th vols., and I know not whether in some of the subsequent volumes.

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Another abbreviated Chronicle of no great duration, "Abbrev. Gest. Fr.," is found in parts in the 6th, 7th, 10th, 11th, 12th vols., and other instances might readily be multiplied. So that a person who wishes to consult either of the above Chronicles, will have to purchase and to use all the above volumes. The very trouble of turning from volume to volume, and from index to index, is in such inquiries productive of evil effect; to say nothing of this arbitrary division of an author into segments, which nothing but strict necessity can justify. Besides the difficulty of comparing an author with himself, when published according to Bouquet's plan (and in such a process an author continually requires to be interpreted by himself), how can a just and correct view be tolerably formed of any one writer thus mutilated and crowded in different portions among a whole mass of others of "different climes, complexions and degrees?" Here a Norman, there an anti-Norman writer; here one following one chronology, and next another following another; here a favourer of the Court, there of the Pope; here an eye-witness, there a mere compiler; here one living in the time of Richard I., and next one of a century or so earlier. Must not the very juxtaposition of excerpta be productive of ill effect on the mind of the historical student, and lead him to consider them *primâ facie* of equal authority, and of equal originality? at all events will almost entirely destroy the power of discrimination in those cases where an author is partly trustworthy and in part not. If any doubt this statement, let them subject to the process here detailed an author thus mutilated by Bouquet. Nor ought the opinion of learned men upon this subject to have been disregarded, since it is well known that Bouquet's plan was never cordially approved by the most learned of his own countrymen, among whom we might mention the celebrated Du Cange, whose judgment upon this point ought to have outweighed Bouquet's, as much as he was superior to Bouquet in learning and knowledge of the ancient authors. Nor has this plan been followed by any other foreign editor of ancient Chronicles; neither by Muratori, nor by Langebek, nor by Perz, men who are highly esteemed for their excellence in this species of literature. Nor need we refer to theory for a confirmation of these views. The celebrated Eichorn published a Corpus Historicum of Greek History exactly upon the same plan; yet who engaged in studying or writing Greek History would ever think of reading it from Eichorn? And the absurdity in this instance is still more apparent; because the entire authors from whom Eichorn extracted his excerpta were already in print, whereas in the case of English History such will not be the fact.

But might not an approximation to Bouquet's plan ensure all its advantages, and avoid all its disadvantages? Certainly not; for if the periods of time over which each volume extends be shortened, the plan becomes impracticable, as has been already stated; if those periods be lengthened, the advantages of Bouquet's plan are sacrificed, most of its disadvantages retained, and others incurred. For suppose, in the case from our own history, that the first volume of a new edition of the Chronicles were published, extending from the very commencement of our annals to the time of the Conquest, (a much longer period than any adopted by Bouquet), and suppose the rest of the historical material for this period occupied four or five more folio volumes, then as each volume would contain matter immediately antecedent to the Conquest, if a person were engaged in writing a history of England from the Danish Invasion to the Conquest, he would have to purchase all these five or six folio volumes, and to wade through an immensity of extraneous matter before he could gather the information he desired. By such a plan the material would be rather scattered than not over a wider field, and the difficulties of research be much greater, than if each author were published entire, and by himself. For where an author is thus published in a mutilated form, part being given in one volume and part in another, he who has no knowledge of such an author, can have no means of becoming generally acquainted with his contents; and he who has, can by no means so easily turn to such parts of the author as contain the information he desires. He will first have to learn in what particular volumes the excerpta containing the information he desires are to be found, and then to turn to them. For instance, he who has Florence of Worcester entire before him, can turn to any part of the volume for the information he requires, but his investigation must be considerably retarded if Florence of Worcester be contained in two or more of six or seven folio volumes. And what must that labour be when (as in Bouquet) a folio volume contains 140 or 200 extracts from as many different authors?

What then is the plan which seems naturally pointed out for publishing such a collection? The plan of Muratori, Langebek, and Perz; the plan which a person who wishes to obtain a clear and accurate view either of English history generally, or of any isolated period, must pursue. The first object of such a person would be to learn what authors had written upon the subject of his inquiry, not what particular passages or excerpta merely could be collected illustrative of that period. His next endeavour would be to gain a general information touching those writers, their time, their prejudices, their means of information, character, and the like; and in such inquiries each one must to a certain degree search and examine for himself. No editor's preface, upon points so open to debate as these, can or ought to be sufficient; every data, every possible facility for such investigations must and ought to be afforded to the reader. Having then acquired a general knowledge of his historian, (the oldest and most original), he will then proceed to that particular period in his narrative which he is anxious to investigate. This being considered, he will test the accuracy of the information and facts thus acquired, or endeavour to increase them by consulting passages of similar import in other writers. Should any discrepancy or variation be observable, he will have to subject this second writer to the same process and the same scrutiny as the first; and then a third writer, and so on, commencing with the earliest of all. Suppose that

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that such a process must be pursued with half a dozen Chroniclers, which, according to Bouquet's plan, would be scattered in fragments through considerably more than half a dozen volumes, the reader's trouble becomes more than ten-fold increased, his inquiries obstructed, if not wholly frustrated.

The plan, therefore, which I propose should be adopted is, to publish each Chronicler complete at once, in the same way as a person would publish an Herodotus, a Thucydides, or a Plutarch, in the order of time in which each lived, and not in the order of time to which the Chronicle refers. By publishing them complete, I do not mean that everything which a Chronicler wrote or compiled, or which is attributed to him, should be published. For instance, if Hoveden merely transcribed Benedictus Abbas, it would not be necessary to repeat in Hoveden what in fact does not belong to him; but whatever variations Hoveden had introduced into his transcript would appear either at the foot of the text of Benedictus Abbas, or introduced into his text with an obelus, accordingly as they might appear to be interpolations or variations of the original MSS. From such a collection one would evidently omit whatever was not original, wherever that original existed; but the greater object would be, that the collective and genuine writings of each Chronicler should appear at once and entire. By such a plan the unity of each author would be preserved, the means of consulting him facilitated, the purchase of each author more feasible, the sources of his information and his literary history more easy and obvious, and the studies of the critical, and biographical, as well as the historical student, better promoted; the uncertainty and doubt resting upon the mind of a reader who peruses a mutilated and dismembered author removed, a division of labour more easily introduced, and a more rapid progress made in publication. The benefits of Bouquet's plan might be insured by chronological abstracts and good indices; and our early Chronicles published in such a form as might invite instead of disgusting the student who peruses with delight the pages of Thucydides or Tacitus.

Appendix (S.)

PAPERS RELATING TO INQUIRIES DIRECTED BY FOREIGN GOVERNMENTS AND SOCIETIES.

— No. 1. —

Appendix (S.)

No. 1. Letters, &c. of the Royal Society of Northern Antiquaries.

LETTER of the Royal Society of Northern Antiquaries to *Charles Purton Cooper*, Esq. &c. &c. London.

Sir,

In the prosecution of its main object, "the editing of the Ancient Manuscripts of Iceland and Scandinavia, and the Illustration of the Antiquities of the North," the Royal Society of Northern Antiquaries aims at diffusing a broader light over the history, language, jurisprudence and antiquities, not only of those Northern regions, but also of other countries, that in remote times have had connexion with the North of Europe. The materials afforded by our ancient manuscripts for the illustration of the history of foreign countries are, however, scattered in many different works, some of which have never been printed, or not correctly edited, while others have only been published in the original language, and consequently are of difficult access to foreigners. A publication of them from the best manuscripts, and in separate works, seems therefore to be very desirable. The most considerable of all such literary monuments are those which relate to the early History of Great Britain and Ireland, and it is precisely these which it has long been our wish to collect and to edit; an undertaking to which we have been exhorted by many distinguished British and Irish scholars. In the mean time, before proceeding to put such a plan in execution, it is the wish of the society to bring to completion the more extensive works which it had previously commenced. We expect in the course of a few months to have attained this object, when it will be in our power to commence other undertakings, and particularly the one above alluded to, as announced in the accompanying prospectus.

In order that the work may attain a more extensive circulation in Great Britain and Ireland, with the history of which countries it is most nearly connected, we take the liberty of transmitting this prospectus to the British and Irish members of the society, and also to a few other gentlemen, whose well known patriotic sentiments lead us to hope that they will take an interest in the undertaking. We have felt it our duty to class you among those whom we ought not to omit making acquainted, by a direct communication, with a work of this nature, which we now accordingly do; adding at the same time a prospectus of another work expected to issue from the press in the course of the present summer, viz. "A Collection of the Accounts of the Voyages of Discovery undertaken by the Ancient Scandinavians to America," a publication which we hope will also excite interest throughout the British Islands.

William Schlegel, President.
Finn Magnuson, Vice-President.
Charles C. Rafn, Secretary.

The Royal Society of Northern Antiquaries
Copenhagen,
13 February 1836.

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No 1.
Letters, &c. of the Royal Society of Northern Antiquaries.

ANTIQUITATES BRITANNICÆ ET HIBERNICÆ, or a Collection of Accounts elucidating the Earlier History of GREAT BRITAIN AND IRELAND, extracted from Ancient Icelandic and Scandinavian MSS. and other Historical Sources: with a Latin Translation, Geographical and Archæological Notes, Facsimiles and Maps. Edited by The Royal Society of Northern Antiquaries.

THE most ancient written sources of British and Irish History, in so far as they have been preserved to modern times, had for a long period and to a great extent either lain by unpublished, or were only made known by means of faulty and incomplete editions; until in our days, by order of Parliament, a critical edition of them, and one worthy of the nation, has been intrusted to men of competent learning and abilities. In aid of a common object, we take this opportunity to announce the publication of the accounts which are contained in the ancient language of Scandinavia, a language which formerly over the whole North, even in Norway and Iceland, received the name of Danish, but which now is generally called the Old-northern, or from the name of the country in which it may still be considered vernacular, the Icelandic. Of such accounts relating to the history of Britain and Ireland there are many, and those doubtless not unimportant, preserved in the Sagas, which have been chiefly written in Iceland. The word *Saga*, which has affinity with the English word *saying*, means strictly speaking a narrative, whether true or fictitious, just as *Story* was in its origin synonymous with *History*, and therefore the Sagas are of very different kinds. They may however, be classed as follows:—*a*. Mythic, or the legends of the olden time respecting heathen Deities and Heroes, &c. written in the middle ages. *b*. Genuine Historical, written during the same period. *c*. Purely Fictitious, which last are chiefly of more modern date.

During the greater part of the three preceding centuries modern authors were wont to look on all the Sagas as historical, and as entitled to almost implicit belief; other authors again, our immediate predecessors or contemporaries, perceived the absurdity of such a supposition, and, as is usual in such cases, rushed into the opposite extreme, and looked on the whole mass of Sagas as fictitious and unworthy of reliance. The truth here, as well as on most other occasions, will be found in the middle way. It is, besides, a circumstance of some importance, that up to the year 1773, there was scarcely a single Saga that in any respect had been correctly edited. At that period a new and brighter era may be said to have commenced in the mode of publishing these literary monuments. Still, however, very few of those that have since seen the light have been edited with the requisite critical accuracy and attention, and this remark is peculiarly applicable to such as relate to the ancient English, Scottish, or Irish history.

The Royal Society of Northern Antiquaries of Copenhagen, founded for promoting the publication of ancient Northern, and more especially Icelandic, literary monuments, and for the elucidation of Northern antiquities, is, therefore, of opinion, that the present is the right epoch for collecting, transcribing, elucidating and publishing the ancient Icelandic and other Old-northern writings and accounts of this sort which are still extant, but which must be searched for in almost innumerable manuscripts and printed books, an undertaking which it would be impossible for a single individual to accomplish. Many of these accounts are contained partly in separate Sagas, but are also in part scattered either throughout prolix historical works, or in detached historical or biographical pieces; some of which are, it is true, already published, but, as we have already observed, in incomplete or unauthentic editions.

To supply this deficiency, which must be felt by every lover of the ancient history of the British kingdoms, the society has embraced the resolution of publishing a collection of those ancient accounts, which, it is evident, can be collected, arranged and published with copiousness and exactness in this place only, where all the most important manuscripts are to be found. The work will be entitled, "Antiquitates Britannicæ et Hibernicæ, sive Scriptores Septemtrionales Rerum Britannicarum Medii Ævi." We cannot as yet give a detailed specification of all that it will contain, but we may state the following as part of its contents:

A. Of separate Sagas, we may mention

a. *Jatvardar Saga ens helga*, or a History of the canonized King Edward, surnamed the Confessor.

b. *The Sagas of the Archbishops of Canterbury*, Dunstan, Thomas and Anselm.

None of these have hitherto been published: they will therefore be now for the first time brought to light, and be printed partly from ancient parchments.

c. *Orkneyinga Saga*, or the History of the Orkney and Shetland Isles, and partly of Scotland, from A. D. 865 to 1231.

Of this remarkable work there is only one edition, (Copenhagen, 1780) chiefly printed from a modern paper manuscript, and by no means from the celebrated "Codex Flateyensis (written on parchment in the 14th century), which has not at all been used or consulted in its publication, but will now form the basis of our new edition, which will also be augmented by many additions, and various readings from other codices, which have been neglected in the older edition; an edition that moreover does not correspond with its own text, and this partly from want of suitable types, and partly from errors of the transcriber or printer. We hope therefore that our edition will be the first authentic and complete one.

d. *Saga Magnus Eyiajarls hins helga*, containing a minute account of the life of the Jarl Magnus Erlendson, who died in 1110, and was afterwards canonized and generally worshipped in Northern Britain and Scandinavia.

This Saga also has only been once published from recent paper manuscripts, but will now be published for the first time from the oldest MS., which is written on skin, and will at the same time be furnished with the additions and various readings which other remarkable transcripts afford. These two last-mentioned Sagas give a very luminous description of the state of political society and manners in the 10th, 11th, 12th and beginning of the 13th centuries of the Scottish isles, and of Scotland itself; particularly in as far as regards the districts which had been inhabited or subdued by people of Scandinavian origin, from whom the present inhabitants of the Orkneys, Shetland and Caithness, &c., chiefly descend. The life of Magnus was written in 1130, and the above-mentioned general history of the Orkneys was compiled, doubtless in part from much more ancient writings, about 1240. These two works are therefore considerably older than that of any native Scottish historian.

e. *An Account of Helge and Ulf,* inhabitants of the Orkneys, from an ancient manuscript, written on skin.

B. *Extracts from Icelandic historical works* of the middle age relating to the history of England, Scotland and Ireland, viz. from the following important works:

f. *Snorre Sturleson's celebrated Heimskringla.*

Of this work we have four editions in the original language, of which that published at Copenhagen (1777 à 1783 in 3 vols. folio) is the most copious and the best, but it by no means satisfies the critical demands of our age, the text being very gratuitously put together from different codices, occasionally even from modern unauthentic transcriptions; and, besides, the sources from which the altered readings are taken are frequently not mentioned, so that the age and value of the accounts often cannot be critically determined.

The portions of this important work which we shall insert in the publication now announced shall be accurately transcribed from the oldest and best skin manuscripts that are extant, and shall be furnished with the requisite additions from other good transcripts.

g. *The Landnáma,* as it is called, or *Landnámabók of Iceland,* called also *Liber Originum Islandiæ.* It contains the history of the earliest colony and colonists in Iceland.

Those portions of it which relate to natives of Britain or Ireland who during the eighth, ninth, or tenth centuries had established themselves in Iceland shall here be inserted.

Of this important work we have, it is true, three different editions; but in none of them has due attention been paid to this circumstance, that the work consists of three different principal Recensions, compiled by different authors, the eldest of which ought to form the basis, and the text of the next in age ought to be separated from the others; whereas only the most recent has hitherto been published. In the present publication we intend to follow, for the first time, an entirely opposite method, whereby the character and age of the accounts may be critically determined.

h. *Extracts from many other Sagas and Annals* of the Kings of Norway and Denmark, also of Icelandic Warriors, Scalds, &c., and other distinguished men, who during the middle ages have had any connexion with England, Scotland or Ireland *.

Of these writings, which we cannot here enumerate, the extracts which we communicate shall, like the before mentioned, be transcribed from the best codices now extant, and shall also be collated with the best transcripts in as accurate and complete a manner as possible.

Such a work as the present cannot well be much longer postponed, inasmuch as the manuscripts, besides being liable to perish from unfortunate accidents, are daily becoming more and more faint, or mouldering away from age; so that they incur the risk of soon becoming illegible and unavailable for the purpose of a correct publication.

C. Extracts from the ancient *Historians* and *Chroniclers of Denmark and Sweden*; also chronological annotations.

D. *Remarkable Diplomas* of the middle age issued in the Orkney or Shetland Isles, or in Denmark, Sweden, Norway or Iceland, having reference to Britain or Ireland; of which a great part have not hitherto been published.

E. *Northern Runes,* Inscriptions relating to the expeditions of the Northmen to the British islands, or which in any way concern those countries or their inhabitants.

F. Sundry other supplementary matter connected with this work.

A correct Latin translation will accompany the text throughout, and the whole will be elucidated both by philological and historical remarks and explanations in Latin.

One or more maps of Britain and Ireland and the smaller isles appertaining to them, furnished with the ancient Scandinavian names of places, districts, rivers, &c. will accompany the work, which will likewise be provided with the requisite geographical disquisitions; also with facsimiles to serve as specimens of the oldest manuscripts on skin of the most important historical documents.

The work will consist of three or four volumes royal quarto.

William Schlegel, President.
Finn Magnuson, Vice-President.
Charles C. Rafn, Secretary.

The Royal Society of Northern Antiquaries,
Copenhagen, 19 November 1835.

* Agreeably to the wish expressed by several British learned men, it is our intention (apart from the historical works, and in an entirely separate volume) to publish simultaneously those romances connected with the remote middle age of England and Wales which have been translated into Icelandic or Old-northern in the 12th and 13th centuries from originals, which in many instances have been long since lost, and now live in translations, which themselves, as specimens of language, &c., are well deserving of interest.

ANTIQUITATES BRITANNICÆ ET HIBERNICÆ.

Mode of Publication and Conditions of Subscription.

THE work will consist of three or four volumes in royal quarto.

To give the edition a higher value to subscribers, it has been determined on that the impression shall be restricted to 360 copies.

In order that each subscriber may have it in his power to convince himself that this determination is adhered to, a list of subscribers shall be inserted in the work, numbered according to the order in which the subscriptions are announced; and at a convenient part of the work, each of the 360 copies shall be furnished with its No., corresponding to the number in the subscription-list, and certified by the signature of the secretary.

As soon as 360 subscribers have announced themselves, the subscription-list, agreeably to what is above said, shall be closed.

One half of the subscription price, or 6 *l.*, is to be paid in advance, and the remaining half on receiving the work. The other extensive literary undertakings which the society has commenced, the prosecution of which employs the greater part of its income, renders this stipulation a matter of necessity, to prevent the publication of the work from being protracted through a long course of years.

Should any subscriber wish a copy on imperial vellum paper, on condition of paying a proportionally higher price in advance, he is requested to notify his wish to that effect.

Several subscribers have already announced themselves, not only from Great Britain and Ireland, but also on the Continent. We may here mention

His Majesty Frederick IV., King of Denmark, eight copies,

Her Majesty Maria, Queen of Denmark, four copies;

a few have also announced themselves from the United States of North America, and the West Indies, being those who have in general subscribed to all the works edited by the society, so that we have a tolerably certain hope of being enabled to accomplish the publication of this work.

As soon as the subscriptions amount to 360, notice of the same shall be given in the London Literary Gazette, to prevent any, after that time, from making fruitless application.

The final preparation of the work for the press shall then without delay commence, and thereafter be prosecuted without intermission; the printing also shall be expedited with as much haste as is compatible with a careful correction of the proof sheets.

Each subscriber is requested to mention the name of a person in one of the larger sea ports to whom his copy may in due time be addressed, unless he should prefer its being sent direct to himself.

Each subscriber is moreover requested to give reference to his banker in one of the larger trading towns (in Europe, it is immaterial in which; in America, we would prefer Boston or New York; in the West Indies, St. Thomas) on whom, as soon as the subscription-list shall have been closed, a bill at three months' sight will be drawn for the prenumeration price (*i. e.* half price). In cases where no banker's name is given, the bill will be drawn direct on the subscriber himself. Along with this bill there shall be sent to each subscriber an intimation, signed by the secretary, specifying the No. of the copy of the impression so restricted which he is to receive.

Subscribers are requested to give an accurate statement of their address, and to write their names at full length, and legibly, to prevent errors from taking place in the printed subscription-list.

Notices of subscription to be transmitted direct to the undersigned, Copenhagen, 40, Crown Prince-street.

Charles C. Rafn, Secretary.

Copenhagen, 19 November 1835.

ANTIQUITATES AMERICANÆ, or a Collection of the Accounts extant in Ancient Icelandic and other Scandinavian Manuscripts, relative to Voyages of Discovery to NORTH AMERICA made by the Scandinavians, in the 10th and following Centuries: with Latin and Danish versions, Geographical and Archæological Notes, Facsimiles, Maps and Plates. Edited by the Royal Society of Northern Antiquaries.

THE intelligence which our ancient literary monuments embody respecting the discovery of America by the Scandinavians, and their voyages thither at a period long antecedent to the era of Columbus, has not hitherto received that serious consideration which it merits, it occurring but to few to look to the North of Europe for information on that head. It is, however, unquestionable that these remains comprise testimony, the most authentic and irrefragable, to the fact, that North America was actually discovered by the Northmen towards the close of the 10th century, visited by them repeatedly during the 11th and 12th (some of them even settling there as colonists), rediscovered towards the close of the 13th, and again repeatedly resorted to in the course of the 14th; and that the Christian religion was established there, not only among the Scandinavian emigrants, but, in all probability, likewise among other tribes previously, or, at all events, then seated in those regions.

Influenced by these considerations, and by the circumstance that the greater majority of the ancient writings adverted to, important as they thus are to the history of the world, of geography, of commerce and of navigation, have never yet been printed, even in the original, the Royal Society of Northern Antiquaries has determined on publishing a complete

Appendix (S.)

No. 1.
Letters, &c. of the Royal Society of Northern Antiquaries.

edition of them, the rather, as the very style in which the intelligence they embody is conveyed serves materially to corroborate their authenticity.

The work, which will comprise, besides some entire Sagas, and extracts of others, selections from ancient geographical works and annals, will be published in the original Icelandic, with accompanying Latin and Danish versions, and will be furnished with a critical apparatus of variorum readings, explanatory notes (in Latin), with one chronological and several genealogical tables, (the latter exhibiting the descent of many celebrated characters in Icelandic, Danish and Norwegian history, from the first discoverers of North America), and geographical and archæological disquisitions (likewise in Latin) respecting the first landing places and earliest settlements of the Northmen in America, and the vestiges (some hypothetical, some authentic) of their migration to, and sojourn in that country; disquisitions, towards which material assistance has been furnished by several men of science and erudition in the United States.

In its compilation we have availed ourselves of an abundant store of the most valuable materials preserved in the public libraries and MSS. collections of Copenhagen, among which not a few parchment codices, never before employed, or even known to exist.

The work will be embellished with several maps, as also with facsimiles of the principal codices employed, and copper-plate engravings of some of the most remarkable remains.

What serves in no small degree to enhance the value of the ancient writings is the great apparent probability, amounting indeed almost to certainty, that it was a knowledge of these facts that prompted the memorable expedition of Columbus himself, which terminated in his discovery of the New World; for it is a well-authenticated fact that the great navigator visited Iceland in the year 1477, on which occasion he could scarcely fail to obtain some information from its inhabitants, particularly its clerical functionaries, with whom, according to the custom of the times, he probably conversed in Latin respecting the voyages of their ancestors to those regions.

William Schlegel, President.
Finn Magnuson, Vice-President.
Charles C. Rafn, Secretary.

The Royal Society of Northern Antiquaries,
Copenhagen, 19 November 1835.

ANTIQUITATES AMERICANÆ.

Mode of Publication and Conditions of Subscription.

THE work, which has been in progress for several years past, and will leave the press before the close of the ensuing summer 1836, will consist of one volume, royal 4to.

A summary of the work, in English or French, will be delivered gratis to the subscribers, its size to be regulated by the number of subscribers.

The price for subscribers is 3 *l.*

Forty copies have been struck off on thick imperial vellum, at a proportionally higher price.

Subscribers are requested to transmit their full names and address, written in a legible hand, to the undersigned, Copenhagen, 40, Crown Prince-street.

The copies subscribed for shall be forwarded to their respective destinations through the medium of an agent in London, Edinburgh or Dublin.

Charles C. Rafn, Secretary.

Copenhagen, Denmark, 19 Nov. 1835.

— No. 2. —

COLLECTION de DOCUMENTS INÉDITS sur l'Histoire de France, publiés par Ordre du Roi et par les Soins du Ministre de l'Instruction Publique.

RAPPORTS AU ROI et PIÈCES.

No. 2.
Reports of French Record Commission.

I.—EXTRAIT du Rapport au Roi sur le Budget du Ministère de l'Instruction Publique pour l'Exercice 1835.

Sire,

DEPUIS quinze ans environ l'étude des sources historiques a repris une activité nouvelle. Des hommes d'un esprit clairvoyant, d'une science rare, d'une constance laborieuse, ont pénétré, les uns dans le vaste dépôt des archives du royaume, les autres dans les collections de manuscrits de la bibliothèque royale; quelques-uns ont poussé leurs recherches jusque dans les bibliothèques et archives des départements. Partout il a été prouvé dès les premiers essais, en fouillant au hasard, que de grandes richesses étaient restées enfouies. Les efforts ont redoublé, et l'on n'a pas tardé à obtenir des découvertes aussi importantes qu'inattendues, de véritables révélations qui éclairent d'un jour nouveau tels ou tels événements, tels ou tels siècles de notre histoire; à ce point qu'il est peut-être permis d'avancer que les manuscrits et monuments originaux, qui ont été jusqu'à présent mis au jour, ne surpassent guère en nombre ni en importance ceux qui sont restés inédits.

Depuis que ce fait est constaté, il ne se passe pas un jour sans que les hommes jaloux des progrès de la science et de la gloire littéraire de la France n'expriment le regret de voir l'exploitation d'une mine si riche abandonnée à des individus isolés, dont les plus grands efforts ne peuvent produire que des résultats partiels et bornés. A la vérité, parmi ces explorateurs volontaires, il faut distinguer l'académie des inscriptions, qui travaille à recueillir

recueillir diverses séries de monuments relatifs à notre histoire nationale. Mais Votre Majesté a pu se convaincre, il y a quelques instants, de l'extrême exiguité des ressources dont l'académie dispose pour la publication de ces recueils, et de la lenteur qui en résulte inévitablement. Aussi, quelle que soit l'excellence de ses travaux, ils sont insuffisants pour calmer les regrets et satisfaire les désirs de ceux qui voudraient entrer en possession de tant de trésors, encore inutiles ou ignorés.

Le besoin de voir mettre un terme à ces efforts isolés commence à être si vivement senti, que quelques personnes se sont récemment formées en société pour tenter de concentrer et de coordonner les recherches de tous les hommes qui se vouent à ce genre de travaux *. J'espère que cette société n'aura pas fait un vain appel aux amis de la science; je m'associe à ses efforts; mais je ne puis me dissimuler que, lors même qu'elle parviendrait à disposer de ressources plus considérables qu'il n'est permis de le supposer, son action ne serait encore que partielle, et ses publications n'embrasseraient que quelques séries de monuments.

Au gouvernement seul il appartient, selon moi, de pouvoir accomplir le grand travail d'une publication générale de tous les matériaux importants et encore inédits sur l'histoire de notre patrie. Le gouvernement seul possède les ressources de tout genre qu'exige cette vaste entreprise. Je ne parle même pas des moyens de subvenir aux dépenses qu'elle doit entraîner; mais, comme gardien et dépositaire de ces legs précieux des siècles passés, le gouvernement peut enrichir une telle publication d'une foule d'éclaircissements que de simples particuliers tenteraient en vain d'obtenir. C'est là une œuvre toute libérale, et digne de la bienveillance de Votre Majesté pour la propagation de l'instruction publique et la diffusion des lumières.

Mais chaque jour de retard rend la tâche plus difficile; non-seulement les traditions s'effacent et nous enlèvent en s'effaçant bien des moyens de compléter et d'interpréter les témoignages écrits; mais les monuments eux-mêmes s'altèrent matériellement. Il est une foule de dépôts, surtout dans les départements, où les pièces les plus anciennes s'égarent ou deviennent indéchiffrables, faute des soins nécessaires à leur entretien. Je crois donc qu'il est urgent que l'entreprise soit mise à exécution, et qu'elle reçoive immédiatement une assez grande extension.

Une des premières opérations serait de dresser un inventaire des richesses paléographiques de tous les départements. Les recherches seraient faites dans deux sortes d'établissements; d'abord dans les bibliothèques communales, en second lieu dans les dépôts d'archives, soit communales, soit départementales. Je sais déjà qu'il est plusieurs bibliothèques qui pourraient être exploitées avec grand profit, et presque toutes offriraient quelque chose à recueillir. Ce sont surtout des éclaircissements sur l'histoire des localités, des particularités toutes provinciales, que fourniraient ces bibliothèques. Mais sous ce rapport on trouverait plus de richesses encore dans les archives que dans les bibliothèques. Malgré les ravages qui depuis quarante ans ont produit, dans la plupart de ces dépôts, d'irréparables lacunes, on peut encore y faire une abondante moisson. Il en est même qui, par un heureux hasard, ont été préservés du pillage; et quand le sort a voulu que ce fût dans une de ces villes, anciennes capitales d'importantes provinces, telles que Dijon ou Lille par exemple, on sent combien de faits précieux doivent y rester enfouis. Il est telle de ces villes qui peut nous offrir une correspondance non interrompue avec tous nos souverains pendant cinq ou six siècles, telle autre qui possède plus de deux ou trois mille chartes, plus de dix mille pièces de tout genre non-seulement inédites, mais inconnues des paléographes, et dont aucune analyse, aucun catalogue n'a encore révélé l'importance. En un mot, les bibliothèques et les archives départementales deviendraient probablement une des sources où seraient puisés les plus nombreux matériaux de cette grande publication.

Le département des manuscrits de la bibliothèque royale serait également fouillé, et fournirait une masse de documents originaux, dont il serait difficile de calculer l'importance. Les collections dites de Colbert, de Brienne, de Dupuy, de Gaignières, et tant d'autres qu'il serait trop long d'énumérer n'ont encore été pour ainsi dire qu'entr'ouvertes. Là sont ensevelis des correspondances, des mémoires, des écrits de toute espèce, reflets vivants de tous les siècles, répertoires des jugements que chaque époque a portés sur elle-même. Aucun autre dépôt n'est plus riche que la bibliothèque royale en matériaux pour cette sorte d'histoire qu'on peut appeler contemporaine, histoire qui ne consiste pas moins dans la révélation des idées que dans celle des faits.

Les archives du royaume au contraire jetteraient de vives lumières sur telles ou telles circonstances d'événements défigurés par la tradition. On y puiserait des rectifications importantes, des renseignements curieux sur tous les faits sociaux qui laissent de leur passage une trace officielle et authentique. Il est aussi, dans le dépôt des archives, des trésors qu'on ne serait pas tenté d'y chercher, tels que des correspondances diplomatiques, des traités de politique, des fragments d'histoire. Ainsi, en résumé, bibliothèques et archives des départements, bibliothèque royale et bibliothèques secondaires de Paris, archives du royaume, tels seraient les principaux établissements dont il s'agirait de produire les richesses au grand jour.

Mais il est une autre source historique plus abondante encore peut-être, et jusqu'ici plus inconnue.

Les dépôts dont je viens de parler sont publics; le gouvernement ne ferait qu'en extraire et rendre plus abordable à tous les lecteurs ce qu'avec de grand efforts sans doute les particuliers

* La société de l'histoire de France, fondée en Juin 1833, compte déjà plus de deux cents membres, et a déjà fait, indépendamment de son Bulletin, qui paraît tous les mois, plusieurs publications importantes.

ticuliers peuvent accomplir par eux-mêmes. Le bienfait serait immense; mais le gouvernement doit faire davantage. Il possède d'autres archives dont lui seul dispose et dont il peut, sans aucun inconvénient, communiquer, en partie du moins, les inappréciables trésors: je veux parler des archives des différents ministères, et notamment du ministère des affaires étrangères.

Jusqu'ici, tantôt la nature du gouvernement, tantôt de justes convenances ont rendu ces grands dépôts à peu près inaccessibiles; mais la séparation est si profonde entre notre temps et les temps passés, la politique de notre époque est si peu solidaire de celle des siècles antérieurs, que le gouvernement peut, sans crainte et sans scrupule, associer le public à une partie de ces richesses historiques.

En s'arrêtant vers le commencement du dernier siècle, nonseulement l'intérêt de l'État, mais l'intérêt des familles ne pourra souffrir la moindre atteinte.

Évidemment les faits, les documents antérieurs au règne de Louis XV. n'appartiennent plus à la politique, mais à l'histoire, et rien n'empêche plus de publier ceux qui méritent la publicité.

En exploitant ainsi avec sagesse les archives des divers ministères, et surtout celles des affaires étrangères, qui sont dans un ordre parfait, la publication que j'ai l'honneur de proposer à Votre Majesté sera un monument tout à fait digne d'elle et de la France.

L'histoire des villes, des provinces, des faits et des usages locaux, sera éclaircie par les bibliothèques et les archives départementales; l'histoire générale des idées, des usages, des mœurs et des rites, par les manuscrits des grandes bibliothèques de Paris, par les archives du royaume; enfin l'histoire particulière des traités et des ambassades, par les archives des affaires étrangères; celle de la législation et des grands procès, par les archives du parlement; celle des siéges, des batailles, de la marine et des colonies, par les archives de la guerre et de la marine.

Je ne puis dans cet exposé offrir à Votre Majesté qu'un sommaire, une ébauche incomplète de l'entreprise que je soumets à son approbation. Je souhaite que les résultats, que je ne puis que faire entrevoir, mais qu'on serait assuré d'atteindre, justifient aux yeux de Votre Majesté et à ceux des chambres ma demande d'une allocation extraordinaire. Si ce crédit est accordé, j'aurai l'honneur de présenter à Votre Majesté un plan plus détaillé de cette grande publication nationale, et de lui soumettre les moyens d'exécution les plus propres à en assurer le succès.

Je suis avec le plus profond respect,
Sire, De Votre Majesté,
Le très-humble et très-obéissant serviteur et fidèle sujet,
Le Ministre Secrétaire d'État
au Département de l'Instruction Publique,

Paris, 31 Decembre 1833. *Guizot.*

II.—Rapport au Roi sur les Mesures Prescrites pour la Recherche et la Publication des Documents Inédits Relatifs à l'Histoire de *France.*

Sire,

Votre Majesté a daigné accueillir les vues que j'ai eu l'honneur de lui soumettre relativement à la recherche et à la publication des monuments inédits de l'histoire de France. Les chambres ont voté, dans le budget de 1835, un crédit de 120,000 francs consacré à ces travaux, et qui atteste hautement l'intérêt qu'inspire l'entreprise scientifique et nationale qu'a approuvée Votre Majesté.

Je me suis appliqué à en préparer le succès, et je demande à Votre Majesté la permission de mettre sous ses yeux le plan que je me propose de suivre et les dispositions que j'ai déjà prescrites.

Dès le 22 Novembre 1833 je me suis adressé à MM. les préfets pour leur demander des renseignements précis et détaillés sur la situation des bibliothèques et des archives des départements qu'ils administrent, ainsi que sur les divers ouvrages manuscrits qui peuvent être contenus dans ces dépôts *. Les réponses que j'ai reçues m'ont déjà fourni quelques documents curieux; elles m'ont surtout indiqué les voies qu'il convient de suivre pour arriver à des résultats importants.

Le 20 Juillet dernier je me suis mis en rapport avec les académies et sociétés savantes établies dans les départements; j'ai sollicité leur concours; j'ai cherché à encourager leurs efforts, et tout me porte à croire qu'elles me seconderont avec zèle et efficacité †.

Le 18 Juillet dernier j'ai formé, auprès du ministère de l'instruction publique, un comité où se réunissent quelquesuns des hommes les plus considérables par leur savoir et par le mérite de leurs travaux historiques ‡. Ce comité sera spécialement chargé de surveiller et de diriger, de concert avec moi, tous les détails de cette vaste entreprise. Il s'est assemblé plusieurs fois sous ma présidence, et, grâce à l'assistance éclairée que ses membres ont bien voulu me prêter, on entrevoit déjà les résultats qu'il sera possible d'obtenir.

Un premier soin a dû occuper le comité, celui de déterminer nettement le but que doit se proposer l'administration, et les limites dans lesquelles il convient de se renfermer. Il suffit, à cet

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* Pièces, No. VI. † Pièces, No. VII. ‡ Pièces, No. IV.

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à cet égard, de s'en tenir rigoureusement aux termes mêmes de la loi de finances de 1835. Ils contiennent et expliquent toute la pensée de l'entreprise. Puiser à toutes les sources, dans les archives et les bibliothèques de Paris et des départements, dans les collections publiques et particulières; recueillir, examiner et publier, s'il y a lieu, tous les documents inédits importants et qui offrent un caractère historique, tels que manuscrits, chartes, diplômes, chroniques, mémoires, correspondances, œuvres mêmes de philosophie, de littérature ou d'art, pourvu qu'elles révèlent quelque face ignorée des mœurs et de l'état social d'une époque de notre histoire: tel sera le but de ces travaux.

J'ai examiné soigneusement, avec le comité, quels seraient les plus sûrs moyens d'exécution.

La recherche des documents présente d'assez grandes difficultés. A Paris, et dans quelques villes en petit nombre, il existe des archives classées méthodiquement et dans lesquelles a été dressé avec exactitude l'inventaire des pièces qui s'y trouvent déposées; mais partout ailleurs règnent le désordre et la confusion. A l'époque des troubles révolutionnaires, une foule de documents, jusque-là conservés dans les anciens monastères, dans les châteaux ou dans les archives des communes, ont été livrés tout à coup au pillage et à la dévastation. Des amas de papiers et de parchemins, transportés dans les municipalités voisines, ont été jetés pêle-mêle dans des greniers ou dans des salles abandonnées; le souvenir même s'est effacé, dans plusieurs endroits, de ces translations opérées négligemment et sans formalités. De là l'opinion généralement établie et devenu, pour ainsi dire, de tradition dans un grand nombre de départements, que tout a péri dans ces temps d'agitation. Il est certain, néanmoins, qu'on peut retrouver encore une partie considérable des anciennes archives, notamment dans les villes d'évêché et de parlement, et qu'une foule de pièces importantes ont été sauvées et rendues aux villes, lorsque, plus tard, une autorité conservatrice fit déposer dans les chefs-lieux des districts les débris des anciennes abbayes, confondus avec les chartes et autres monuments authentiques. Plusieurs pièces aussi furent gardées alors comme titres de propriété ou de droits utiles des biens qui avaient été vendus par l'autorité publique.

Je ne saurais former le dessein de procéder actuellement et directement à un classement général et méthodique de toutes les archives locales, soit des départements, soit des communes: le temps et les ressources manqueraient pour un si immense travail. La bibliothèque du Roi possède d'ailleurs un inventaire général de toutes les archives qui existaient en France avant la revolution, inventaire dressé, vers 1784, sous le ministère de M. Bertin, et auquel est joint un grand nombre de cartulaires ou répertoires des principales pièces que ces archives locales renfermaient. Ces renseignements suffiront aux premières recherches; à mesure que l'on pénétrera dans les dépôts publics pour en explorer les richesses, on éprouvera le besoin de les mettre en ordre; de premières améliorations susciteront le zèle qui aspire à des améliorations nouvelles, et le zèle créera des ressources. Les autorités locales, les conseils généraux et municipaux seront naturellement provoqués et conduits, on peut l'espérer, à réintégrer leurs archives dans des lieux convenables, et à faire dresser le catalogue des pièces qu'on y conserve. Il convient donc de se mettre dès à présent à l'œuvre, sans prétendre commencer méthodiquement par un travail de classement général qui offrirait, dans l'état actuel des choses, plus d'embarras que d'avantages, et que nos recherches amèneront, d'ailleurs, presque nécessairement.

J'ai cherché, de concert avec MM. les membres du comité, quels pouvaient être, dans chaque département, dans chaque ville, les hommes déjà connus par leurs travaux sur l'histoire nationale, et capables de s'associer à ceux que je dois faire entreprendre. Nous avons dressé une première liste de quatre-vingt-sept personnes avec lesquelles je me propose de me mettre en rapport, affin de les charger spécialement des recherches relatives aux lieux qu'elles habitent. Une correspondance régulière s'établira entre elles et mon département, par l'intermédiaire de MM. les préfets; et, sans imposer partout un ordre toujours le même, une organisation systématique et uniforme, qui s'accorderaient mal avec les besoins et les ressources particulières de chaque localité, j'ai rédigé cependant des instructions générales qui peuvent s'appliquer également à toutes les recherches et à tous les pays, et qui seront adressées à tous les correspondants de mon ministère*.

Dans les lieux où je ne pourrai obtenir le concours de quelques correspondants propres à ce genre de travail, je tâcherai d'y suppléer en envoyant des commissaires spéciaux déjà exercés, et dont le mérite me soit bien connu. Du reste, j'accueillerai avec empressement toutes les communications, toutes les propositions. Je sais que beaucoup d'hommes modestes et laborieux vivent dispersés et presque ignorés sur notre territoire, prêts à mettre leur savoir et leur zèle à la disposition d'une administration bienveillante. Je serai attentif à les rechercher, et heureux de les découvrir. Le comité central se tiendra constamment au courant des diverses recherches qui seront entreprises à Paris et dans les départements. Il dirigera, par des instructions particulières, tous les travaux que j'aurai prescrits ou autorisés; il transmettra aux correspondants du ministère les renseignements qui leur seront indispensables pour juger de la valeur de telles ou telles archives, de tels ou tels manuscrits. Aussitôt qu'une découverte importante aura été signalée à mon attention, l'un des membres du comité sera chargé spécialement de l'examiner, de s'entendre avec la personne qui m'aura adressé cette communication, de rechercher toutes les pièces relatives au même sujet, qui pourraient exister dans d'autres collections; et toutes les fois qu'après cet examen la publication de tel ou tel manuscrit, de telle ou telle pièce, aura été jugée convenable, elle aura lieu

* Pièces, No. VIII.

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lieu sous la surveillance du comité, soit par les soins directs de l'un de ses membres, soit par une révision attentive du travail de ses correspondants.

Tel est, Sire, dans ses traits essentiels, le plan que je crois devoir adopter. L'exécution en est déjà commencée, et je puis en indiquer à Votre Majesté les premiers et prochains résultats.

Les archives de plusieurs villes du royaume sont en assez bon ordre et assez bien connues pour qu'on ait pu s'y livrer immédiatement à d'utiles travaux. La bibliothèque publique de Besançon est, depuis longtemps, dépositaire des papiers du principal ministre de Charles-Quint et de Philippe II., d'un homme qui a été mêlé à toutes les grandes affaires du XVI^e^ siècle, du cardinal Perrenot de Granvelle. Ce vaste recueil se compose des correspondances de ce ministre, des notes de ses agents, et de toutes les pièces relatives à son administration dans les Pays-Bas et dans le royaume de Naples. Il n'a été connu des savants, jusqu'à ce jour, que par l'ébauche d'un catalogue imprimé, et par la courte analyse de quelques pièces que l'on doit à un religieux bénedictin du XVIII^e^ siècle. J'ai formé à Besançon, sous la présidence du savant bibliothécaire de cette ville, M. Weiss, une commission chargée de procéder à l'analyse complète de ces matériaux. Elle en fera le dépouillement et mettra à part ceux qui présenteront assez d'intérêt pour être livrés à la publicité. J'espère que bientôt une partie considérable de ces pièces historiques sera préparée pour l'impression.

Les riches et précieuses archives des anciens comtes de Flandre sont conservées à Lille: elles contiennent des documents qui remontent jusqu'au XI^e^ siècle. Je prends des mesures, de concert avec M. le préfet du Nord, pour faire explorer ces archives et en tirer tous les documents qui paraîtraient dignes d'être mis en lumière.

Les restes des anciennes archives du Roussillon sont conservés à Perpignan: on y trouvera des renseignements intéressants pour l'histoire de cette province et pour celle des relations des rois de France avec les rois d'Aragon. Des spoliations nombreuses et une longue négligence, dont ces archives sont enfin préservées grâce au zèle du bibliothécaire de la ville de Perpignan, ne les ont pas tellement appauvries qu'elles ne puissent encore offrir des pièces importantes.

A Poitiers, où sont déposées les archives de l'ancienne province d'Aquitaine, j'ai envoyé, avec le titre d'archiviste de la ville, un des élèves les plus distingués de l'école des chartes, M. Redet; M. Chelles, élève de la même école, a été également envoyé à Lyon avec le même titre.

Dans les bibliothèques et les archives de Paris, les travaux sont déjà en pleine activité et promettent d'importants résultats.

Le département des manuscrits, à la bibliothèque royale, dépôt immense de matériaux de toute espèce, est, pour la première fois, livré à une exploration générale et régulière. Il présente des corps d'ouvrages rédigés, tantôt par des hommes instruits sur des sujets divers de notre histoire, tantôt par des personnes qui ont voulu transmettre à la postérité le détail des affaires auxquelles elles ont pris part. On y trouve aussi des recueils de pièces détachées en nombre considérable, formant des sources de documents authentiques sur presque tous les sujets. Des collections rassemblées par des particuliers dont elles ont conservé les noms: celles de Colbert, de Dupuy, de Brienne, de Gaignières, de Baluze, du président de Mesmes, et plusieurs autres, y ont été déposées dans leur intégrité après la mort de leurs possesseurs. Des jeunes gens exercés à ce genre d'étude sont chargés, sous la surveillance et la direction des conservateurs, MM. Champollion-Figeac et Guérard, d'explorer ces mines fécondes, et de signaler les manuscrits divers, mémoires ou autres pièces, qui leur paraîtraient dignes de publication, pour que le comité en fasse ensuite l'objet d'un examen spécial. Déjà plusieurs ouvrages ont été puisés à cette source et sont livrés aux personnes chargées d'en préparer la publication. Je citerai entre autres une réunion de notes curieuses, écrites de la main même du cardinal Mazarin, et relatives aux incidents journaliers de sa conduite pendant les guerres de la Fronde. Ces notes, écrites le plus souvent en Italien, et d'une façon fort abrégée, seront publiées avec une traduction Française et les éclaircissements nécessaires.

Un journal des États Généraux tenus à Tours en 1484, dont la bibliothèque royale possède plusieurs copies, a été rédigé en Latin par Jean Masselin, l'un des membres de ces états. Les nombreux détails qu'il fournit sur les discussions, les usages et les idées politiques de ce temps, ont été, en grande partie, ignorés de nos historiens. Quelques-uns se sont contentés de le faire connaître par des extraits que les autres ont copiés. Il sera publié, pour la première fois, dans son texte original, et accompagné d'une traduction.

Un monument important de la langue, de la poésie et de l'histoire d'un temps déja reculé, est une vaste chronique en vers de la guerre des Albigeois, écrite dans le langage du pays, à une époque très-voisine encore de cet événement, par un auteur qui avait été témoin des faits qu'il raconte. C'est une source de renseignements également intéressants pour les philologues et pour les historiens, et aussi l'un des plus curieux monuments littéraires du XIII^e^ siecle. Le soin de sa publication est confié à M. Fauriel.

Après la paix de 1763, M. de Bréquigny fut envoyé à Londres avec un bureau composé de sept personnes, pour y prendre copie de toutes les pièces déposées aux archives de la Tour de Londres, qui pouvaient se rapporter à l'histoire de France. Ce travail dura plusieurs années; il a produit une collection d'environ cent cinquante volumes in-folio de copies de documents divers concernant celles de nos provinces qui avaient été rangées longtemps sous la domination Anglaise. Les originaux de plusieurs de ces documents se sont perdus depuis à la Tour de Londres. La nature de ces recherches, leur étendue, et jusqu'aux événements qui ont eu lieu depuis qu'elles ont été accomplies, tout contribue à donner à cette immense collection un intérêt que le temps n'a fait qu'accroître. J'ai ordonné le dépouillement de ce recueil, deposé maintenant à la bibliothèque du Roi; chacun des documents

ments qu'il renferme sera successivement examiné ; ceux qui n'ont point encore été publiés, et qui néanmoins mériteront de l'être, seront relevés, classés et mis au jour.

Une autre collection, que je crois propre à jeter des lumières nouvelles sur l'histoire politique de l'ancienne monarchie Française, sera celle des chartes concédées aux villes et aux communes par les rois et les seigneurs, du XI^e^ au XV^e^ siècle. Ces chartes sont en grand nombre ; elles embrassent presque toute l'étendue de la France, et la teneur en est fort variée. Plusieurs ont déjà été publiées, mais beaucoup d'autres n'ont point vu le jour ; et peut-être ces dernières ne sont-elles pas les moins curieuses et les moins importantes. La bibliothèque du Roi en possède une collection formée par les soins de Dupuy, et qui remplit quelques volumes in-folio. Elle sera soumise à une sévère analyse : on évitera de reproduire ce qui est déjà connu ; on y ajoutera les pièces et les documents nécessaires pour la compléter. Enfin j'ai l'intention d'y faire joindre les chartes et constitutions primitives des différentes corporations, maîtrises et sociétés particulières établies en France, de telle sorte que cette collection rapproche et mette dans tout leur jour les nombreuses et diverses origines de la bourgeoisie Française, c'est-à-dire les premières institutions qui ont servi à affranchir et à élever la nation. Ce travail s'exécutera sous la direction de M. Augustin Thierry.

Les archives générales du royaume, compulsées en même temps et de la même manière que la bibliothèque du Roi, fourniront un grand nombre de pièces détachées, actes de l'autorité publique, relations d'événements particuliers, diplômes, chartes et autres monuments authentiques propres à jeter de nouvelles lumières sur les points les plus obscurs de notre histoire, et à corriger souvent des versions fautives ou incomplètes.

Les archives spéciales des différents ministères nous promettent encore de plus importantes richesses ; ces matériaux doivent être exploités avec prudence et discernement : aussi nos recherches s'adresseront-elles exclusivement aux époques qui peuvent être considérées comme tombées dans le domaine de l'histoire. Mais nous trouverons dans ces limites de quoi exciter et satisfaire la plus avide curiosité des savants et du public. MM. les directeurs de ces précieux dépôts ont bien voulu me promettre leur concours le plus empressé.

Les archives du ministère des affaires étrangères, classées avec un ordre parfait, forment le dépôt historique le plus considérable par l'abondance et la valeur de ses documents. Les publications que je me propose d'y puiser s'exécuteront par les soins du directeur, M. Mignet, qui a déjà préparé un recueil important et étendu destiné à en commencer la série. Les longues et curieuses négociations relatives à la succession d'Espagne, ouverte par la mort de Charles II. seront l'objet de ce recueil. Entamées immédiatement après le traité des Pyrénées en 1659, elles n'ont été terminées qu'en 1713, à l'époque où la paix d'Utrecht vint fixer enfin le droit public de l'Europe et sa distribution territoriale sur de nouvelles bases. Cette publication fera connaître la marche progressive des grands événements qui en sont l'objet, et mettra pour la première fois au jour, dans toute sa réalité et toute son étendue, la politique de Louis XIV.

Les archives du dépôt de la guerre seront consultées en même temps que celles des affaires étrangères, et les renseignements empruntés à ces deux sources différentes seront rapprochés entre eux et comparés les uns avec les autres. Ainsi, tandis que l'on recherchera, dans les archives de notre diplomatie, tout ce qui se rapporte aux négociations qu'entraîna l'affaire de la succession d'Espagne, le dépôt de la guerre mettra à notre disposition l'histoire des campagnes qui suivirent et secondèrent ces négociations, accompagnée de la correspondance de Louis XIV., de Philippe V., du duc d'Orleans, du maréchal de Berwick et du duc de Vendôme.

A ces dernières publications seront joints les cartes et plans nécessaires pour l'intelligence des opérations militaires ; M. le directeur du dépôt actuel de la guerre a bien voulu m'offrir les riches matériaux de ce genre qu'il a recueillis lui-même. Ils seront mis au jour par ses soins personnels et sous sa surveillance.

Des travaux analogues seront exécutés aussi dans les archives du ministère de la marine : l'état de notre marine, l'histoire de nos campagnes maritimes ou des grandes batailles navales, celle de nos colonies depuis plus de cent cinquante ans, y sont conservés dans des collections authentiques dont le choix sera fait par des hommes versés dans cette étude toute spéciale.

Après l'histoire politique, l'histoire intellectuelle et morale du pays a droit également à notre attention ; c'est aussi une grande et belle partie des destinées d'un peuple que la série de ses efforts et de ses progrès dans la philosophie, les sciences et les lettres. Sans doute l'abondance et le caractère spécial des monuments de ce genre doivent nous prescrire à cet égard quelque réserve ; ils ne sauraient être accueillis facilement ni en très-grand nombre dans une collection dont l'histoire proprement dite est l'objet dominant. Mais les ouvrages qui, à certaines époques, ont fortement agité les esprits et exercé une action puissante sur le développement intellectuel des générations contemporaines, ceux qui ont ouvert, dans le mouvement des idées, une ère nouvelle, ceux enfin qui, sous une forme purement littéraire, nous révèlent des mœurs oubliées, des usages ou des faits sociaux dont on avait perdu la trace, de tels ouvrages se rattachent de bien près à l'histoire ; et si nous découvrions quelques monuments de ce genre, nous croirions devoir nous empresser de les publier, en en formant dans la collection générale une série particulière.

Je puis déjà, Sire, signaler en ce genre à Votre Majesté une découverte récente et d'un haut intérêt pour les personnes qui se vouent à l'étude de la philosophie et de son histoire parmi nous. Le manuscrit du fameux ouvrage d'Abailard, intitulé le Oui et Non, (Sic et Non), vient d'être retrouvé dans la bibliothèque d'Avranches. Ce livre, qu'on croyait irréparablement perdu, est celui qui donna lieu à la condamnation d'Abailard, au concile de Sens, en 1140. M. Cousin en surveillera la publication.

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Enfin, Sire, l'histoire des arts doit occuper une place dans ce vaste ensemble de recherches, qui embrasse toutes les parties de l'existence et des destinées nationales. Aucune étude peut-être ne nous révèle plus vivement l'état social et le veritable esprit des générations passées que celle de leurs monuments religieux, civils, publics, domestiques, des idées et des règles diverses qui ont présidé à leur construction, l'étude, en un mot, de toutes les œuvres et de toutes les variations de l'architecture, qui est à la fois le commencement et le résumé de tous les arts.

Je me propose, Sire, de faire incessamment commencer un travail considérable sur cette matière: je m'appliquerai à faire dresser un inventaire complet, un catalogue descriptif et raisonné des monuments de tous les genres et de toutes les époques qui ont existé ou existent encore sur le sol de la France. Un tel travail, en raison de sa nature spéciale, de son importance et de sa nouveauté, doit demeurer distinct des autres travaux historiques dont je viens d'entretenir Votre Majesté; aussi mon intention est-elle d'en confier la direction à un comité spécial, et d'en faire l'objet de mesures particulières que j'aurai l'honneur de proposer à Votre Majesté.

Telles sont, Sire, les mesures que j'ai prises, préparées ou projetées pour assurer l'accomplissement de la grande entreprise au sujet de laquelle le vote des chambres a répondu aux vues de Votré Majesté. Cette entreprise ne doit pas être un effort accidentel et passager; ce sera un long hommage et, pour ainsi dire, une institution durable en l'honneur des origines, des souvenirs et de la gloire de la France. J'ose espérer que, grâce au savant et zélé concours des personnes qui veulent bien me seconder, les premiers résultats ne se feront pas longtemps attendre, et ne seront pas indignes de la noble pensée dont Votre Majesté a daigné me confier l'exécution.

Je suis avec le plus profond respect,
Sire, de Votre Majesté,
Le très-humble et très-obéissant serviteur et fidele sujet,
Le Ministre Secrétaire d'Etat
au Département de l'Instruction Publique,
Paris, 27 Novembre 1834. *Guizot.*

III.—Rapport au Roi sur l'Etat des Travaux relatifs à la Recherche et à la Publication des Documents Inédits sur l'Histoire de *France.*

Sire,

Vers la fin de l'année dernière ja'i eu l'honneur de soumettre à Votre Majesté les mesures prescrites pour la recherche et la publication des documents inédits relatifs à l'histoire de France. Je viens aujourd'hui lui faire connaître l'état des travaux entrepris jusqu'à ce jour et lui en présenter les premiers résultats.

Ces travaux se divisent en deux séries distinctes: l'une comprend les documents relatifs à l'histoire politique et sociale du pays, à sa législation, à ses institutions; l'autre s'occupe de l'histoire des sciences, des lettres, des arts et de leurs monuments.

La surveillance particulière des travaux qui se rapportent à cette seconde série a été confiée à un second comité *, institué près le ministère de l'instruction publique à l'instar du premier comité dont j'ai déjà entretenu Votre Majesté †, et composé, comme le premier, des hommes les plus distingués par leurs talents et leurs lumières. Les deux comités, réunis alternativement sous ma présidence, ont assidûment accompli leur mission; la plupart des correspondants de mon ministère dans les départements ont concouru avec zèle à nous seconder dans nos efforts; et déjà je puis mettre sous les yeux de Votre Majesté d'importants résultats, obtenus pendant le cours de cette année.

Le premier et le plus considérable est la publication des deux premiers volumes d'un recueil intitulé, "Négociations relatives à la succession d'Espagne sous Louis XIV, ou correspondances, mémoires et actes diplomatiques concernant les prétentions et l'avénement de la maison de Bourbon au trône d'Espagne," et qui formera six ou sept volumes. J'ai l'honneur de présenter ces deux volumes à Votre Majesté. Ce grand travail, conçu avec une intelligence profonde et exécuté avec un soin consciencieux par M. Mignet, garde des archives du ministère des affaires étrangères, est devenu, grâce au talent de l'éditeur, un ouvrage original, non moins qu'une collection de pièces diplomatiques. M. Mignet a su encadrer ces pièces, qui forment à peu près les deux tiers de l'ouvrage total, dans un récit substantiel, entremêlé de savantes explications. Ce sera presque une histoire de la diplomatie Française de 1660 à 1738; histoire authentique et dont les matériaux, inconnus jusqu'a ce jour, nous révèlent une face entièrement neuve de cette grande époque.

A côté de cette publication, je présente à Votre Majesté le premier volume des Documents publiés par M. le général baron Pelet, directeur du dépôt de la guerre, et relatifs à l'histoire de la guerre de la succession d'Espagne, de 1701 à 1713. Ce recueil, préparé depuis longtemps par le lieutenant-général de Vault, ancien directeur du dépôt de la guerre, et revu avec soin par son habile éditeur, fera connaître, par les rapports et les lettres des généraux, des ministres de la guerre et de Louis XIV. lui-même, le détail exact et officiel des opérations de ces campagnes célèbres, et présentera ainsi le côté militaire de la grande lutte dont le travail de M. Mignet offrira le côté diplomatique.

Des

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* Pièces, No. V. † Voir la Rapport du 27 Novembre 1834.

Des cartes jointes à ce recueil, et presque toutes encore inédites, en rendront le texte parfaitement intelligible. Six cartes appartiennent au premier volume, et seront incessamment publiées.

Enfin, Sire, un quatrième volume paraît en même temps que les précédents : c'est le "Journal des États Généraux tenus à Tours en 1484," par Jehan Masselin, official de l'archevêque de Rouen, et député à ces états. La traduction Française, par M. Adhelm Bernier, est imprimée en regard du texte Latin : cet ouvrage, qui n'était connu que par quelques extraits ou fragments détachés, contient une foule de renseignements précieux, qu'on chercherait vainement ailleurs, sur le cérémonial, les usages, les formes observées dans la tenue des États Généraux de l'ancienne monarchie, ainsi que sur leur juridiction, et l'étendue des droits et des pouvoirs qui leur étaient dévolus. On y trouve d'ailleurs une expression fidèle, une vivante représentation des idées politiques et administratives qui occupaient, vers la fin du xv^e^ siècle, les hommes les plus distingués de la société Française, nobles, prélats, bourgeois réunis en une assemblée de trois cents personnes, discutant et délibérant de concert sur les questions les plus graves pour notre pays.

Ces quatre volumes, Sire, sont entièrement terminés, et ouvrent, dès à présent, la série de nos publications historiques ; mais plusieurs autres sont depuis longtemps livrés à l'impression et ne tarderont pas à paraître. Je demande à Votre Majesté la permission de les lui indiquer.

"L'Histoire en vers de la Croisade contre les hérétiques Albigeois," publiée d'après un manuscrit de la bibliothèque du Roi, et traduite sur le texte Provençal par M. Fauriel, ouvrage de la plus haute importance, et dont j'ai entretenu Votre Majesté dans l'un de mes précédents rapports, sera incessamment terminée.

La "Chronique en vers des ducs de Normandie," par Benoît de Sainte-More, dont le texte, écrit en langue Normande du commencement du xiii^e^ siècle, a été copié par M. Francisque Michel, d'après mes instructions, sur le manuscrit original de la Tour de Londres, est également sous presse. La nécessité d'envoyer et de collationner les épreuves à Londres, en retardera un peu la publication ; mais le travail est suivi avec assiduité.

J'ai confié à M. Ravenel, bibliothécaire de la ville de Paris, le soin de publier les "Carnets du Cardinal Mazarin," dont j'ai déjà rendu compte à Votre Majesté. Dans ce volume seront également insérées diverses notes de Mazarin, sa correspondance avec Colbert, et plusieurs autres pièces relatives aux troubles de la Fronde. Ce travail difficile, qui exige beaucoup de soins et de patience, sera terminé dans quelques mois, et livré dès lors à l'impression.

Deux chroniques très-importantes pour l'histoire des règnes de Charles VI, Charles VII, et Louis XI, "la Chronique du religieux de Saint-Denis," et celle d'Amelgard, manquent aux diverses collections publiées dans ces derniers temps. M. Bellaguet est chargé d'en publier le texte et la traduction, sous la surveillance particulière de M. le baron de Barante, qui connaît si bien et a si bien retracé l'histoire de cette mémorable époque.

La commission instituée à Besançon sous la présidence de M. Weiss, bibliothécaire de cette ville, et chargée de diriger le dépouillement des quatre-vingt-cinq volumes in-folio des papiers du Cardinal de Granvelle, est déjà fort avancée dans son travail. Pendant les six derniers mois de cette année, plus de vingt-cinq volumes de cette vaste collection ont été analysés complétement, et les pièces en langues étrangères, qu'ils contiennent en grand nombre, ont été traduites lorsqu'elles ont paru offrir de l'importance. Dès que le dépouillement sera terminé, la commission s'occupera du choix des pièces qu'il serait convenable de publier.

Un autre ouvrage, dont le manuscrit existe aussi à la bibliothèque de Besançon, m'a paru digne d'être mis au jour. C'est une "Histoire, en seize livres, des guerres de la Franche-Comté, de 1632 à 1642," par un conseiller au parlement de Dôle, le sieur Girardot de Beauchemin, membre du gouvernement de la province à cette époque. C'est un tableau très-animé de la résistance de la Franche-Comté aux entreprises de Richelieu, de la politique de ce ministre, de celle de la cour d'Espagne, des deux invasions successives du prince de Condé, et du duc de Saxe-Weimar, enfin du long attachement de cette province à la maison d'Autriche et de ce qu'elle souffrit alors pour cette cause. On peut considérer cet ouvrage comme un épisode de la guerre de trente ans, épisode d'un grand intérêt pour l'histoire de France, puisqu'il retrace les destinées, encore séparées, d'une province qui depuis s'est intimement unie à la France, sous le rapport moral aussi bien sous le rapport politique.

M. Guérard, membre de l'institut et du premier comité central, m'a proposé de faire extraire, sous sa direction : 1° les registres originaux du parlement de Paris ; 2° les registres de la chambre des comptes ; 3° le trésor des Chartes, recueils remplis de documents neufs et intéressants à publier. Je ferai incessamment entreprendre ce grand travail, que M. Guérard est si capable de bien diriger.

Le dépouillement des grandes collections de manuscrits que possède la bibliothèque royale se poursuit avec activité, sous la direction de M. Champollion-Figeac, l'un des conservateurs du département des manuscrits de cet établissement, et membre du premier comité central. Douze personnes sont employées à ce travail. Les premières collections analysées ont été : 1° celle de Dupuy, à laquelle appartient l'immense recueil d'anciens titres, chartes, diplômes, etc., originaux ou en copie, rassemblés ou transcrits par Pierre Pithou, formant ensemble neuf cent cinquante volumes in-folio et in-4° ; 2° la collection de Brienne, composée de pièces diplomatiques et de documents qui se rapportent aux diverses affaires du royaume ; 3° la collection de Bréquigny, composée de copies exécutées, par l'ordre de l'ancien gouvernement, aux archives de la Tour et de l'Échiquier de Londres. Le même travail s'accomplit en ce moment sur les diverses collections réunies dans le fonds de Colbert, si riche en matériaux de tout genre, relatifs aux affaires étrangères et aux affaires intérieures de la France. Les trois premiers recueils sont complétement dépouillés ; les cartes qui en contiennent le

relevé ont été classées dans des cartons par ordre chronologique, en attendant qu'elles soient dépouillées elles-mêmes pour former des tables générales des matières et des noms d'hommes et de lieux mentionnés dans l'ensemble des collections de la bibliothèque royale. Quand ce plan aura reçu son entière exécution, un simple coup d'œil jeté sur l'une de ces tables indiquera sur-le-champ à l'historien, à l'érudit, au géographe, les pièces qui peuvent se rattacher à l'objet spécial de ses recherches. Il serait superflu d'insister sur l'utilité d'un pareil travail; il aura évidemment pour résultat de livrer à l'histoire, et aux sciences qui s'y rattachent, une masse énorme de documents dont elles n'ont pu s'aider qu'incomplétement jusqu'à ce jour. Mais ce résultat, Sire, quelque précieux qu'il soit, ne répondrait pas entièrement aux vues de Votre Majesté, s'il ne nous amenait aussi à mettre au jour, dès à présent, ceux de ces documents qui présentent une véritable importance sous le rapport historique: déjà les mesures sont prises pour que ce but soit très-prochainement atteint. Parmi les pièces inédites qui ont été relevées et analysées, le comité central déterminera celles qui, par leur nature et en raison de l'intérêt qu'elles peuvent offrir, mériteront d'entrer dans la collection imprimée des documents relatifs à l'histoire de France. Cette publication commencera, je l'espère, en 1836.

M. Champollion-Figeac, indépendamment de la direction des travaux de dépouillement qui s'exécutent à la bibliothèque royale, s'est chargé, en outre, de recueillir et de publier les lettres des rois, reines, princes et princesses de France, aux rois, reines, princes et princesses d'Angleterre, depuis le milieu du XII^e^ siècle jusqu'à la fin du XVI^e^. Les matériaux de cette publication sont rassemblés en grande partie. L'impression en est commencée et sera terminée dans le cours de l'année qui va s'ouvrir.

Plusieurs monuments inédits, qui appartiennent à l'histoire de la France sous les deux premières races et le commencement de la troisième, seront aussi publiés successivement, sous la direction de M. Guérard, membre de l'institut et du comité. La transcription de l'un de ces monuments, le Cartulaire de la célèbre abbaye de Saint-Bertin, vient d'être achevée d'après le manuscrit appartenant à la bibliothèque de la ville de Saint-Omer, et le travail nécessaire à la publication, confié à M. Claude, se poursuit sous les yeux de M. Guérard, de manière à pouvoir être imprimé en 1836. Cette publication sera suivie de celle du Cartulaire de l'église de Notre-Dame de Chartres, non moins important que celui de l'abbaye de Saint-Bertin, par sa date et par la nature des titres qu'il renferme.

Tels sont, Sire, les travaux qui ont été exécutés ou commencés durant le cours de l'année 1835 à la bibliothèque royale.

Un zèle, sinon aussi fructueux, du moins aussi actif, a été déployé dans les départements, et déjà la plupart des bibliothèques ou collections d'archives ont été l'objet de soigneuses explorations. Les correspondants de mon ministère ont été aidés dans leurs recherches par les personnes que j'ai envoyées en divers lieux, et par un grand nombre d'hommes instruits qui se sont offerts d'eux-mêmes à l'administration. Plusieurs conseils généraux et municipaux ont voté des fonds extraordinaires pour l'inventaire et le classement de leurs archives. Je me contenterai d'indiquer à Votre Majesté le plus importants de ces travaux.

M. le D^r^ Leglay, l'un de mes correspondants les plus actifs et les plus éclairés, a été chargé de mettre à jour les riches dépôts du département du Nord, et particulièrement ceux de Lille et de Cambrai. Il a continué les inventaires qui furent dressés avec tant de soin par les Godefroy avant 1789; il a signalé, dans le catalogue des manuscrits de Cambrai, deux chapitres de la Chronique de Molinet qui ne se trouvent point dans l'édition imprimée; il a fait connaître enfin deux ouvrages qui paraissent dignes d'attention, les "Mémoires de Robert d'Esclaibes," gentilhomme du Hainaut, qui servait dans l'armée de la Ligue du temps de Henri III. et de Henri IV., et ceux "du baron de Vuverden," contenant un foule de notions intéressantes et inédites sur les affaires publiques du XVII^e^ siècle.

MM. Redet et de la Fontenelle ont exploré les archives de Poitiers, M. Moreau celles de Saintes, M. Maillet celles de Rennes, M. Monnier celles du Jura. Des travaux analogues ont été commencés par M. Mermet à Vienne, en Dauphiné; par M. Ollivier à Valence, par M. Morellet à Albi, par M. de Formeville à Lisieux, par M. Maillard de Chambure à Dijon et à Semur. Divers manuscrits et documents curieux déposés à la bibliothèque de Lyon ont été signalés et étudiés par MM. Monin et Péricault.

En même temps que les correspondants du ministère recherchaient sur place les monuments inédits relatifs à l'histoire de leurs villes ou de leurs anciennes provinces, plusieur voyages étaient entrepris par mes ordres, soit en France, soit à l'étranger.

M. Weiss à été chargé d'entreprendre une tournée dans les départements du Doubs et du Jura, afin d'y examiner toutes les collections publiques ou particulières de livres et de manuscrits.

M. Michelet a visité tous les dépôts qui se trouvent de Poitiers à Bayonne, de Pau à Toulouse et Montauban, de Cahors à Bourges et Orléans. Le résultat de ses investigations est consigné dans un rapport étendu qu'il m'a remis à son retour.

M. Granier de Cassagnac, en se rendant dans le midi de la France, s'est mis en relation personnelle avec les correspondants de mon ministère établis dans toutes les villes qu'il a parcourues; il s'est enquis auprès d'eux de l'état des dépôts qu'ils sont appelés à consulter, des résultats qu'ils ont obtenus jusqu'à ce jour, de la direction qu'il conviendrait de donner à leurs recherches ultérieures, et des moyens qu'on pourrait mettre à leur disposition pour les aider dans leur travail.

Le voyage de M. Francisque Michel en Angleterre a donné des résultats assez considérables. Il a transcrit la "Chronique rimée des ducs de Normandie." par Benoît de Sainte-More; "L'Histoire des rois Anglo-Saxons," de Geoffroi Gaimar; le poëme désigné par le savant abbé de La Rue sous le titre de "Voyage de Charlemagne à Constantinople," et plusieurs autres ouvrages dont les originaux manquent à la France. Il a fouillé les vastes

collections

collections du Musée Britannique, les bibliothèques des universités d'Oxford et de Cambridge, et a pris note de tous les manuscrits qui lui ont paru offrir quelque intérêt pour notre histoire et notre ancienne littérature nationale.

Le second comité établi près mon ministère s'est occupé exclusivement des monuments qui se rapportent aux divers développements de l'intelligence humaine dans notre patrie. Ces monuments se distinguent naturellement en deux classes : les uns intéressent l'histoire des sciences, des lettres, de la philosophie ; les autres celle de l'art, envisagé sous toutes ses formes et dans ses productions de toute nature. Ces deux ordres de travaux ne sauraient être conçus ni exécutés d'après le même plan. Pour tout ce qui tient à l'histoire philosophique, scientifique et littéraire, il s'agit, de même que pour l'histoire politique et sociale, de recueillir et de publier des manuscrits inconnus ou inédits, de compulser par conséquent les bibliothèques de Paris et des départements, d'examiner la valeur des résultats fournis par cette investigation, et de décider quels sont les manuscrits qui doivent être livrés à la publicité. Cette marche a été suivie par le second comité comme elle l'avait été par le premier. Une circulaire contenant des instructions précises et détaillées sur cet objet a eté adressée à tous les correspondants de mon ministère *.

Le recueil des " Fragments inédits d'Abailard," publié par M. Cousin, est presque entièrement imprimé, et paraîtra avant trois mois. Ce recueil se compose de trois parties distinctes : 1° fragments du Sic et Non, formant environ un grand tiers de l'ouvrage original ; 2° fragments d'un traité de dialectique, sous la forme d'un long commentaire d'Abailard sur l'Organon d'Aristote ; 3° fragments et opuscules philosophiques d'Abailard. Dans cette dernière partie se trouvent des Glossæ in Porphyrium, qui méritent d'être lues avec soin. Ce volume est d'une importance réelle pour l'histoire de la philosophie scolastique, et le gouvernement seul pouvait faire les frais d'une telle publication.

Un travail spécial, destiné à servir en quelque sorte d'introduction aux publications du comité chargé de la recherche de nos monuments littéraires, a été confié a M. Sainte-Beuve, l'un de ses membres. Ce travail doit consister en un compte rendu précis et complet des développements successifs qu'ont reçus en France, durant les trois derniers siècles, l'étude et l'histoire critique de notre ancienne littérature †. Ainsi, au moment où cette partie si intéressante de la vie intellectuelle du pays recommence à exciter parmi nous une curiosité si générale et si vive, M. Sainte-Beuve rappellera, résumera et appréciera, avec la sagacité qui le distingue, toutes les recherches dont elle a déjà été l'objet depuis le commencement du XVI^e siècle jusqu'à nos jours.

Quand on quitte les sciences et les lettres pour s'occuper des arts, il faut nécessairement changer de méthode. Ici il ne s'agit plus de découvrir et d'imprimer des ouvrages inédits. A part quelques traités spéciaux et en petit nombre, l'histoire des arts n'est point dans les livres ; elle est écrite dans les monuments eux-mêmes, dont les formes, variables suivant les temps et les lieux, représentent non-seulement les principes et les règles suivies par les diverses écoles, mais surtout l'esprit, les idées, les connaissances mêmes qui appartiennent aux siècles qu'elles rappellent. Ce sont donc les formes des monuments qu'il faut reproduire, au moyen d'une description courte mais exacte, en ayant soin de noter minutieusement les différences caractéristiques qui se remarquent dans chacun d'eux. Tous les monuments qui ont existé ou existent encore sur le sol de la France seront l'objet d'une étude particulière dans chaque commune, dans chaque hameau, dans chaque groupe d'habitations. Aux notices descriptives on joindra souvent un plan, une coupe et au moins une ou deux élévations des constructions qu'on aura mentionnées ; tous les plans et dessins seront ramenés, autant qu'il sera possible, à une échelle unique, et l'ensemble de ces travaux formera une véritable statistique monumentale de la France, étudiée à ses différents âges.

En ce moment M. Ramey exécute un specimen de ce travail pour tous les monuments qui existent dans trois cantons du département de l'Oise, et M. Grille de Beuzelin, pour deux arrondissements du département de la Meurthe.

M. Mérimée, inspecteur des monuments historiques de la France, et l'un des membres du comité, a parcouru, pendant les derniers mois de cette année, toute l'ancienne province de Bretagne. Les nombreuses observations qu'il m'a transmises intéressent principalement l'histoire de l'architecture Bretonne, dans laquelle il croit avoir reconnu un style particulier. Il m'a adressé, en outre, ainsi qu'à M. le ministre de l'intérieur, diverses propositions relatives à la conservation des édifices du moyen âge qu'il a visités. Enfin, il s'est rendu, par mes ordres, dans le département de la Vienne, afin d'y examiner les restes de l'ancienne abbaye de Charroux, de constater l'état actuel de ce monument, et de faire les démarches nécessaires pour en assurer la conservation.

Partout M. Mérimée a remarqué un grand empressement à garder et à étudier les monuments de notre histoire. Des sociétés savantes s'occupent du soin de les décrire ; un grand nombre d'artistes et de particuliers entreprennent des fouilles à leurs frais ; chacun s'efforce d'entrer, autant qu'il est en son pouvoir, dans les vues de l'administration. Cependant de telles recherches exigent des connaissances spéciales, et par conséquent doivent être dirigées d'après des instructions détaillées et précises. Le comité s'est chargé de rédiger ces instructions qui constitueront, à elles seules, un travail considérable. M. Albert Lenoir, membre du comité, s'est occupé de tout ce qui concerne les monuments publics Gaulois, Grecs, Romains et Chrétiens, jusqu'au XI^e siècle ; M. Auguste Le Prévost, des monuments religieux depuis le XI^e siècle jusqu'à nos jours ; M. Mérimée, de l'architecture militaire de toutes les époques, en y comprenant les routes qui, dans l'origine, sont toutes militaires.

* Pieces, No. IX.

† Pieces, No. X.

Appendix (S.)

No. 2.
Reports of French Record Commission.

militaires. M. Lenormant a traité de tous les monuments meubles des divers âges, des vases et ornements, des médailles, des vignettes et manuscrits à miniature, etc. etc. La première partie de ces instructions est complétement achevée et sera bientôt livrée à l'impression. Des gravures sur bois, ajoutées à l'ouvrage, en rendront l'intelligence plus nette et plus facile.

J'ai pensé qu'au moment où l'on exécute avec tant de soin la carte de France, au ministère de la guerre, il serait utile de faire dresser, par les habiles ingénieurs de ce département, une carte de la vieille France, avec l'indication de ses voies antiques et des anciennes villes de toutes les époques. M. le général baron Pelet, directeur du dépôt de la guerre, a accueilli cette proposition, et il a offert d'extraire de la grande carte de France une carte en quatre feuilles, où tous les monuments et toutes les données relatives à l'archéologie seront notés d'une manière particulière. M. le général Pelet a donné des instructions en ce sens à MM. les officiers d'état-major chargés de la rédaction de la carte générale.

Un dernier travail enfin complétera celui du comité. Il existe, sans doute, un assez grand nombre d'hommes capables de lire les anciennes écritures, des manuscrits ou des inscriptions monumentales; toutefois, ces connaissances paléographiques ne sont pas, à beaucoup près, suffisamment répandues; plus elles deviendront vulgaires, plus les monuments anciens seront connus et appréciés, plus aussi les recherches entreprises sur tous les points de la France acquerront de valeur et de certitude. L'enseignement des habiles professeurs de l'école des chartes ne s'addresse qu'à un petit nombre d'élèves rassemblés à Paris. D'une autre part, les traités de paléographie qui sont entre les mains des savants ne sont que d'un faible secours pour ceux qui veulent se livrer à cette étude. Les ouvrages des Bénédictins sont trop volumineux ou manquent de méthode; d'autres offrent des planches mal exécutées; les traités Allemands sont d'une science diplomatique trop haute et ne peuvent être utiles que pour les manuscrits Germaniques. Un seul livre de ce genre, composé en Anglais, celui de Thomas Astle, est excellent pour les travaux du moyen âge; les écritures cursives et calligraphiques y sont représentées dans de nombreux exemples, avec abréviations et alphabets chronologiques. Il m'a paru qu'il serait utile de répandre dans le public un ouvrage semblable, qui apprendrait à reconnaître les divers modes d'écriture employés en France dans tout le cours du moyen âge, et donnerait les abréviations les plus usitées et les exemples les plus frappants empruntés à chaque siècle, dans les manuscrits du Nord et dans ceux du Midi. Ce but sera complétement atteint, au moyen d'une douzaine de planches ajoutées au texte. J'ai chargé de la rédaction de ce manuel paléographique M. Natalis de Wailly, chef de la section administrative des archives du royaume, dont le zèle et l'instruction m'étaient particulièrement connus. Cette publication, sans prétention scientifique, mais d'une utilité pratique incontestable, marche rapidement et sera bientôt terminée.

Tel est, Sire, l'ensemble des travaux historiques exécutés pendant le cours de l'année 1835. Votre Majesté pensera, je l'espère, qu'une utile impulsion a été donnée, et je crois pouvoir l'assurer que les résultats obtenus en garantissent de plus importants encore. Ainsi la France devra à la haute protection de Votre Majesté, aidée du concours éclairé des Chambres, une illustration plus complète de ses annales, et, ce qui n'est pas un moindre bienfait, une carrière nouvelle ouverte aux hommes actifs et laborieux qui veulent se vouer à l'étude sérieuse du passé de notre patrie; étude non-seulement pleine d'attrait, mais propre à élever l'esprit et la moralité de la nation.

Je suis avec le plus profond respect, Sire, de Votre Majesté,
Le très-humble et très-obéissant serviteur et fidèle sujet,
Le Ministre Secrétaire d'État au Département de l'Instruction Publique,
Pais, 2 Decembre 1835. *Guizot.*

IV.—Le Ministre Secrétaire d'État au Département de l'Instruction Publique
Arrête ce qui suit:

Article Premier.

Il est formé, près le ministère de l'instruction publique, un comité chargé de concourir, sous la présidence du ministre, à la direction et à la surveillance de recherches et publications qui doivent être faites, à l'aide des fonds votés au budget de l'exercice 1835, sur les documents inédits relatifs à l'histoire de France.

Art. 2.

Sont nommés membres du comité:

MM. Villemain, pair de France, vice-président du comité en l'absence du ministre;
Daunou, membre de l'institut, garde général des archives du royaume;
Naudet, membre de l'institut;
Guérard, membre de l'institut;
Mignet, membre de l'institut;
Champollion-Figeac, conservateur au département des manuscrits de la bibliothèque royale;
Fauriel, conservateur-adjoint de la bibliothèque royale, professeur à la faculté des lettres;
Vitet, secrétaire général du ministère du commerce;
Jules Desnoyers, secrétaire de la société de l'histoire de France;
Granier de Cassagnac.
Fallot, élève de l'école des chartes, qui remplira les fonctions de secrétaire du comité.

Art. 3.

905

Art. 3.

Pourront être adjointes au comité et assister aux séances, d'une manière soit temporaire, soit permanente, les personnes chargées de travaux spéciaux relatifs à la recherche et à la publication des documents dont il s'agit.

Art. 4.

Le comité se réunira au moins une fois tous les quinze jours.

Paris, le 18 Juillet 1834. *Guizot.*

V.—Le Ministre Secrétaire d'État au Département de l'Instruction Publique.

Vu l'article 53 du chapitre 8 du budget de l'exercice 1835, en vertu duquel il est alloué au ministère de l'instruction publique un crédit de 120,000 francs, consacré à la recherche et à la publication des monuments inédits de l'histoire de France;

Considérant qu'il importe de réunir dans une série distincte tous les documents qui peuvent se rapporter à l'histoire morale et intellectuelle du pays,

Arrête ce qui suit:

Article Premier.

Il est formé, près le ministère de l'instruction publique, un comité spécialement chargé de concourir, sous la présidence du ministre, à la recherche et à la publication des monuments inédits de la littérature, de la philosophie, des sciences et des arts considérés dans leurs rapports avec l'histoire générale de la France.

Art. 2.

Sont nommés membres de ce comité :

MM. Cousin, pair de France, conseiller au conseil royal de l'instruction publique, vice-président du comité;
Vitet, secrétaire général du ministère du commerce, membre de la Chambre des députés;
Auguste Leprévost, député du département de l'Eure;
Pierre Mérimée, inspecteur général des monuments historiques;
Victor Hugo;
Ch. Lenormant, conservateur adjoint au département des médailles antiques de la bibliothèque royale;
Albert Lenoir, architecte;
Didron, secrétaire du comité.

Paris, le 10 Janvier 1835. *Guizot.*

V.—Le Ministre Secrétaire d'État au Département de l'Instruction Publique,

à M. le Préfet du ————

Monsieur le Préfet,

Les bibliothèques publiques des départements sont depuis quarante ans dans une situation qu'on peut appeler provisoire: formées en général par le hasard, sans but, sans méthode; collections précieuses, mais presque toujours incohérentes, d'ouvrages de tout genre amoncelés autrefois dans les monastères, et transportés pêle-mêle dans chaque district du département, ce sont bien souvent des dépôts de livres plutôt que des bibliothèques.

Un tel état de choses doit cesser. Je me propose de prendre ou de provoquer des mesures qui me permettent de vivifier ces établissements, et d'en faire un puissant moyen d'instruction, non-seulement en coordonnant leurs richesses, mais en les augmentant, et surtout en les appropriant aux besoins spéciaux des populations. J'essaierai, en même temps, dans l'intérêt général de la science, de tirer de la poussière et de mettre en circulation les trésors inconnus qu'elles ne peuvent manquer de recéler.

Déjà, à diverses époques, le gouvernement a demandé à MM. les préfets des renseignements sur les bibliothèques publiques de leurs départements. Tous n'ont pas répondu à cet appel, et ceux qui ont fourni des renseignements ne sont presque jamais entrés dans des détails assez circonstanciés. L'enquête a donc été incomplète, ou, pour mieux dire, elle n'a pas eu lieu; le moment est venu de l'accomplir; et ce sont les éléments de cette enquête que je réclame de vous, monsieur le préfet. Je vous prie, en me répondant dans le plus bref délai possible, de vous conformer aux instructions que je vais vous tracer.

Ainsi que je viens de vous le dire, mon but est à la fois d'améliorer la situation présente des bibliothèques, de les rendre utiles aux villes qui les possèdent, et de mettre au jour les richesses qui y sont enfouies. Je vous entretiendrai d'abord de ce qui est à faire pour l'amélioration des bibliothèques.

Un fait m'est signalé presque partout: c'est que la plupart des bibliothèques ne sont fréquentées que par un très-petit nombre de lecteurs. Cette indifférence peut bien provenir en partie de l'indifférence pour l'étude elle-même; mais elle a encore une autre cause, savoir: le défaut d'harmonie entre les besoins, la direction d'esprit des lecteurs, et le genre d'ouvrages qu'on peut leur offrir en lecture. Dans telle ville où l'on étudie la médecine, la bibliothèque n'est riche qu'en théologie; dans tel autre où fleurissent les sciences exactes, on n'a que des

livres de belles-lettres. On me cite des ports de mer qui ne possèdent pas un livre d'hydrographie, pas une carte marine; des villes manufacturières qui manquent totalement de traités de chimie et de mécanique.

La première chose à faire est de corriger, autant qu'il se pourra, par un système d'échanges bien entendu, cette répartition vicieuse des richesses littéraires locales. Dans la plupart des bibliothèques, les mêmes ouvrages et souvent les mêmes éditions existent deux et trois fois. Il y a plus: on trouve dans quelques-unes les premiers volumes d'ouvrages dont un autre dépôt possède les derniers. Enfin il est certaines éditions de luxe, certaines raretés typographiques qui n'ont aucun prix dans telle bibliothèque obscure, tandis qu'elles seraient facilement échangées contre d'excellents ouvrages moins précieux sous le rapport typographique.

Les conseils municipaux, quelles que fussent leur intelligence et leur bonne volonté, ne pourraient accomplir seuls et par eux-mêmes ce difficile travail: l'intervention de l'administration supérieure est indispensable pour rendre les échanges vraiment utiles, non-seulement parce que les communes ne sauraient consommer ces sortes d'aliénations sans y être dûment autorisées, mais parce que l'autorité centrale est seule en position d'imprimer à une telle opération l'unité de direction sans laquelle on n'obtiendrait aucun succès.

Lorsqu'une fois, par l'application de ce système d'échanges, le fonds actuel des bibliothèques aura été mieux réparti et approprié aux convenances des diverses localités, le gouvernement, bien instruit de leurs besoins, pourra distribuer utilement et sans hésitation les livres dont il fait don chaque année aux bibliothèques des départements. Aujourd'hui, ne connaissant ni les livres qu'elles possèdent, ni ceux dont elles manquent, ni ceux qui leur attireraient des lecteurs, il risque de se tromper sans cesse dans cette distribution. La même mesure qui améliorera la situation présente des bibliothèques leur assurera donc dans l'avenir une amélioration progressive.

Voici, monsieur le préfet, quels documens sont nécessaires à l'administration supérieure pour mener à bien, de concert avec les autorités locales, cette utile opération.

Chaque bibliothécaire devra, dans le plus bref délai, m'adresser, par votre entremise, une copie de son catalogue.

Vous savez, monsieur le préfet, que le décret du 8 pluviôse an XI. prescrit aux bibliothécaires de dresser un inventaire exact des livres qui leur sont confiés. Je dois donc supposer que cette formalité indispensable a été partout accomplie; je le dois d'autant plus que des circulaires ministérielles ont, à plusieurs reprises, rappelé et recommandé les sages dispositions de ce décret.

Toutefois je sais que dans plus d'une ville, s'il existe un catalogue, le bibliothécaire peut seul en avoir la clef, faute par lui de s'être conformé, dans la rédaction, aux divisions bibliographiques consacrées par l'usage. Il existe des catalogues faits par ordre de tablettes, d'autres par ordre alphabétique, d'autres par ordre d'entrée dans la bibliothèque. Tous ces modes sont également défectueux. Il est désirable que tous les catalogues soient dressés dans la forme généralement adoptée, c'est-à-dire par ordre des matières, et conformément aux cinq grandes divisions: théologie, jurisprudence, sciences et arts, belles lettres et histoire. Vous comprendrez d'ailleurs aisément que, pour le travail général d'échange dont je viens de vous entretenir, il importe qu'il y ait, autant que cela se pourra, conformité dans les documents qui seront consultés.

Veuillez donc, monsieur le préfet, si les catalogues des bibliothèques de votre département n'étaient pas dressés selon la forme convenable, vous concerter avec les autorités municipales pour qu'ils soient refaits ou rectifiés. Mais je ne me dissimule pas que ce travail entraînera nécessairement des lenteurs et probablement des frais, auxquels certaines communes ne pourront suffire seules, du moins dans un court délai. En attendant donc que les catalogues soient complétés ou réformés, et que vous m'en ayez transmis des copies, je vous invite, monsieur le préfet, à m'envoyer provisoirement un état sommaire du nombre des volumes que possède chaque bibliothèque de votre département, et à m'indiquer de quelles espèces d'ouvrages elle est le plus abondamment pourvue.

Soit que vous m'envoyiez cet état, soit que vous m'adressiez la copie du catalogue même, vous voudrez bien ajouter à cet envoi:

1° La liste exacte de tous les ouvrages doubles ou triples;

2° La liste des ouvrages dépareillés;

3° La liste des ouvrages donnés depuis vingt-cinq ans à la bibliothèque par le gouvernement. On notera particulièrement ceux qui, publiés par livraisons, sont demeurés incomplets, soit que l'ouvrage ait cessé de paraître, soit que l'envoi des livraisons ait été interrompu par un motif quelconque;

4° La liste des raretés typographiques, éditions des XV^e^ et XVI^e^ siècles, éditions sur vélin, ouvrages à figures et autres livres de prix;

5° Une note sur les dépenses et les ressources de chaque bibliothèque, sur les sommes affectées à la conservation et à l'achat des livres, sur les chances d'accroissement du fonds de la bibliothèque par donation, succession ou autre voie;

6° Des renseignements sur le nombre habituel des lecteurs, sur leur âge et leur profession, sur les ouvrages qu'ils demandent de préférence; et enfin, l'indication des livres qu'on présumerait devoir amener à la bibliothèque un plus grand nombre de lecteurs studieux.

Je vous prie, monsieur le préfet, de veiller par vous-même à ce que ces indications me soient données.

Je passe maintenant au second objet des instructions que je vous adresse, c'est-à-dire, à la recherche des richesses scientifiques ou littéraires qui demeurent ignorées dans

les

les bibliothèques ou les dépôts des départements, et qu'il serait intéressant de mettre en lumière.

A très-peu d'exceptions près, ce ne sera pas dans les livres imprimés que pourront être faites des découvertes de ce genre : sauf quelques pamphlets, quelques histoires locales, quelques éditions de province, il est très-peu de livres imprimés qui ne soient connus de nos savants bibliographes, et, sous ce rapport, il n'y a pas de résultats importants à espérer.

Mais il n'en est pas de même des manuscrits : jusqu'à présent aucun travail général et complet n'a été entrepris sur les manuscrits des bibliothèques des départements. Il est urgent de s'y livrer.

Les manuscrits des bibliothèques des départements sont de plusieurs natures : les uns purement ecclésiastiques ; ce sont des bibles, des missels, des rituels, des psautiers, des évangiles, etc. Les manuscrits de cette sorte ne peuvent être précieux que par leur plus ou moins grande antiquité, par la beauté de l'écriture, la qualité du vélin, la richesse des enluminures ; ils appartiennent à l'histoire de l'art, comme les sculptures de nos vieilles cathédrales. Il peut être du plus haut intérêt d'en publier des *fac-simile* qui confirmeraient des exemples déjà connus, ou révéleraient des faits entièrement nouveaux.

Il est une seconde classe de manuscrits dont les bibliothèques des départements sont moins richement dotées, mais qu'il importe également d'étudier : ce sont les manuscrits d'ouvrages classiques, Grecs ou Romains. On me signale des manuscrits de Térence, de Quintilien, de Suétone, de Tite-Live, de Cicéron, des glossaires Grecs, des manuscrits palimpsestes, etc. Ces manuscrits ont-ils été collationnés avec assez de soin et par des hommes assez habiles ? Ont-ils même été jamais collationnés ? Peut-on espérer d'y trouver quelques fragments inconnus des chefs-d'œuvre de l'antiquité ? C'est ce dont il faudra s'assurer.

Vient enfin une troisième classe de manuscrits, la plus importante sans doute : je veux parler des manuscrits qui ont rapport à notre histoire nationale. Il n'est point de bibliothèque de département qui ne possède sinon des volumes, au moins quelques pièces inédites, relatives soit à l'histoire de la province, soit à celle de telle ou telle ville, de telle ou telle famille, de tel ou tel individu. Quelquefois ces manuscrits ne sont pas anciens : ce sont des copies de chartes, des journaux, des recueils d'anecdotes écrits par quelque ecclésiastique, par quelque amateur patient et laborieux. Ces pièces, quelle que soit leur date, n'en ont pas moins leur prix. Tout est à consulter, tout est à recueillir en ce genre. Sans doute les bibliothèques de France ne nous fourniront pas toutes, comme celle de Besançon, l'immense et précieuse correspondance d'un cardinal Granvelle, ou comme celle de Poitiers, les recherches et les compilations d'un Dom Fonteneau ; mais partout il se trouvera quelques matériaux plus ou moins incomplets, qu'il importera de réunir.

Un tel travail serait imparfait si l'on se bornait à faire des recherches dans les bibliothèques publiques ; il est d'autres depôts, savoir : les archives départementales et communales, qui sont peut-être encore plus riches en documents de ce genre. Rien n'est plus désirable qu'un dépouillement exact de ces archives. Je sais qu'il n'est peut-être pas quinze villes en France où ce dépouillement soit seulement ébauché ; je sais que pour mener à fin une telle entreprise il faudra, non-seulement faire quelques dépenses, mais attendre plusieurs années. Quoi qu'il en soit, il faut commencer, et témoigner dès à présent le ferme dessein d'accomplir cette œuvre. Veuillez donc, monsieur le préfet, aviser aux mesures nécessaires pour faire déchiffrer et cataloguer les archives départementales et communales de votre département. Si vous n'avez pas sous la main des personnes capables, ou si tel autre obstacle vous arrête, vous voudrez bien m'en avertir ; je m'appliquerai à vous transmettre promptement, ou du moins à préparer les moyens de vous seconder. En attendant, je vous prie de prescrire à tous les bibliothécaires de votre département de m'adresser un catalogue des manuscrits de tout genre confiés à leur garde. Ce catalogue ne devra pas être un simple inventaire, mais une revue, une liste raisonnée, contenant des indications sommaires sur les matières traitées dans les manuscrits, sur le nombre des feuillets, sur la conservation et la beauté des caractères, vignettes, etc. etc.

Tels sont, monsieur le préfet, les renseignemens dont j'ai besoin pour atteindre le but que je me propose, et qui doit avoir, pour les villes en particulier comme pour la science en général, de si précieux résultats. J'attache une grande importance à ce qu'ils me soient exactement et promptement adressés. Je ne doute pas que MM. les maires et les conseillers municipaux ne soient disposés à vous seconder ; ne négligez rien pour leur faire apprécier tous les avantages que les localités retireront d'un semblable travail et pour vous assurer de leur concours. De mon côté, convaincu qu'il est de l'intérêt général du pays que le zèle local soit encouragé et soutenu dans toutes les entreprises de ce genre, j'examinerai si quelques mesures législatives ne seraient pas nécessaires à cet effet, et j'espère que le Roi m'autorisera, s'il y a lieu, à les provoquer.

Recevez, monsieur le préfet, l'assurance de ma considération distinguée.

Le Ministre Secrétaire d'Etat
au Département de l'Instruction Publique,

Paris, le Novembre 1833. *Guizot.*

VII.—Le Ministre Secrétaire d'Etat au Department de l'Instruction Publique, à MM. les Membres composant la Société ———.

Messieurs,

Je vois, par les renseignements que j'ai recueillis sur les diverses sociétés savantes établies dans les départements, que leur situation ne répond pas toujours au but de leur institu-

tion, ni aux désirs de leurs honorables membres, et qu'elles ne possèdent pas tous les moyens d'action dont elles ont besoin, ni toute l'influence qu'elles pourraient exercer.

Deux conditions de succès me paraissent manquer surtout aux sociétiés savantes, l'encouragement et la publicité. De là, l'inertie des sociétés elles-mêmes qui se sentant, en quelque sorte, abandonnées, n'apportent pas toujours dans leurs travaux l'activité et l'esprit de suite sans lesquels on n'obtient que des résultats très-bornés et fugitifs. De là, aussi, l'indifférence du public qui, n'étant point tenu au courant des efforts des hommes éclairés dont se composent les sociétés savantes, ne les seconde pas de son influence, et laisse périr trop souvent des germes heureux qui méritaient qu'on prît soin de leur développement. Combien de nobles espérances, combien d'utiles tentatives sont ainsi demeurées infructueuses ! Les esprits les plus actifs se refroidissent, la tristesse et le découragement s'emparent des âmes, lorsque le zèle n'est pas soutenu, jusqu'à un certain point, par la sympathie et le succès.

Pour mettre un terme à ce fâcheux état de choses, il faut, d'une part, que les sociétés savantes reçoivent du gouvernement, protecteur naturel de l'activité intellectuelle aussi bien que de l'activité matérielle du pays, un encouragement soutenu ; de l'autre, que leurs travaux soient effectivement portés à la connaissance du public. Les plus sûr moyen, je pense, d'arriver à ce double résultat, c'est d'instituer, entre ces sociétiés et le ministère de l'instruction publique, des relations fréquentes et régulières.

Il ne s'agit ici, messieurs, d'aucune centralisation et d'affaires et de pouvoir. Je n'ai nul dessein de porter atteinte à la liberté, à 'individualité des sociétés savantes, ni de leur imposer quelque organisation générale ou quelque idée dominante. Il s'agit uniquement de leur transmettre, d'un centre commun, les moyens de travail et de succès qui ne sauraient leur venir d'ailleurs, et de recueillir, à ce même centre, les fruits de leur activité, pour les répandre dans une sphère étendue. Loin qu'une telle mesure puisse rien faire perdre aux sociétés savantes de leur indépendance ou de leur importance locale, elle doit, au contraire, l'assurer et l'accroître, en donnant plus d'efficacité et de portée à leurs efforts. A l'aide de ces communications habituelles et réciproques, les matériaux et les résultats des travaux intellectuels ne seront plus exclusivement accumulés dans un dépôt unique ; ils pénétreront partout : les hommes instruits échapperont ainsi aux inconvénients de l'isolement, et pourront, sans se déplacer, se livrer avec confiance à des études devenues et plus faciles et plus profitables.

Enfin, il est un genre particulier de travaux exécutés à Paris, et pour lesquels une correspondance assidue entre le gouvernement et les sociétés savantes départementales serait de la plus haute importance : je veux parler des recherches qui seront incessamment entreprises sur tous les points du royaume, pour mettre en lumière les monuments inédits relatifs à l'histoire de France. Tant de richesses enfouies dans les départements ne peuvent être recueillies que sur les lieux et par les soins des hommes qui sont restés, en quelque façon, les seuls dépositaires des anciennes traditions locales. C'est principalement dans cette circonstance que la coopération active des sociétés savantes et de leurs nombreux correspondants pourra fournir beaucoup de lumières, épargner beaucoup de missions spéciales, de temps, de dépenses, et concourir puissamment à l'illustration de notre histoire nationale.

Je me propose, messieurs, afin de parvenir, s'il est possible, à ces résultats,

1° D'établir, entre le ministère de l'instruction publique et les diverses sociétés savantes des départements, une correspondance régulière. Les sociétés me feront connaître les travaux dont elles s'occupent ou voudraient s'occuper, ce qui leur manque en ressources de tout genre, livres, instruments de travail, renseignements scientifiques, etc. Je m'appliquerai de mon côté à leur procurer ce qui pourrait leur être nécessaire et à les seconder autant qu'il sera en mon pouvoir ;

2° De faire publier, chaque année, sous les auspices du gouvernement, un recueil contenant quelques-uns des mémoires les plus importants présentés aux principales sociétés savantes du royaume, et, en outre, un compte rendu sommaire des travaux de toutes les sociétés, rédigé, soit d'après leurs propres comptes rendus, soit d'après les relations qu'elles m'auront adressées et les indications qu'elles m'auront fournies.

Ce recueil serait un véritable monument de l'activité intellectuelle du pays, en tant du moins qu'elle s'exerce et se manifeste par la voie des sociétés savantes.

Un dernier motif, messieurs, me porte encore à cette mesure, et je n'hésite point à vous l'indiquer. Au moment où l'instruction populaire se répand de toutes parts, et où les efforts dont elle est l'objet amènent, dans les classes nombreuses qui sont vouées au travail manuel, un mouvement d'esprit énergique, il importe beaucoup que les classes aisées, qui se livrent au travail intellectuel, ne se laissent point aller à l'indifférence et à l'apathie. Plus l'instruction élémentaire deviendra générale et active, plus il est nécessaire que les hautes études, les grand travaux scientifiques soient également en progrès. Si le mouvement intellectuel allait toujours croissant dans les masses pendant que l'inertie régnerait dans les régions élevées de la société, il en résulterait tôt ou tard une dangereuse perturbation. Je regarde donc comme un devoir imposé au gouvernement, dans l'intérêt social, de prêter également son appui, et d'imprimer, autant qu'il est en lui, une impulsion harmonique à toutes les études, à la science haute et pure aussi bien qu'à l'instruction pratique et populaire.

Il appartient aux sociétés savantes d'exercer à cet égard une salutaire influence, puisqu'elles renferment dans leur sein l'élite des hommes remarquables par leur instruction, leur position sociale, leur goût éclairé pour les sciences et les lettres.

Je ne doute pas, messieurs, que vous ne vous empressiez de coopérer aux efforts que je me propose de faire dans ce dessein. J'ai donc l'honneur de vous inviter :

1° A me faire connaître, d'une manière précise et détaillée, l'objet habituel des travaux de

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de votre société, et les occupations spéciales auxquelles elle désirerait se livrer, soit qu'elle ait l'intention de s'y livrer tout entière, soit qu'elle veuille en charger quelques-uns de ses membres;

2° A m'indiquer ses besoins, et, en général, tout ce qui lui manque pour atteindre plus sûrement le but qu'elle se propose;

3° A me communiquer la liste complète de ses membres et tous les règlements qui la régissent;

4° Enfin, à m'envoyer, chaque année, un compte rendu de ses travaux, et l'un, au moins, des principaux mémoires qui lui auront été présentés, afin que je puisse, de mon côté, prendre connaissance des ouvrages les plus importants des diverses sociétés, et recueillir ainsi les matériaux du compte rendu général.

Vous voudrez bien m'adresser votre correspondance par l'intermédiaire de M. le préfet de votre département.

Agréez, messieurs, l'assurance de ma considération trés-distinguée.

Le Ministre Secrétaire d'Etat
au Département de l'Instruction Publique,

Paris, le 23 Juillet 1834. *Guizot.*

Appendix (S.)
No. 2.
Réports of French Record Commission.

Appendix (T.)

PAPERS RELATING TO MR. ROWLEY LASCELLES.

— No. 1. —

EXTRACT from a LETTER of Lord *Redesdale*, dated 30 September 1828, in answer to one of Mr. *Lascelles*, on the subject of future Public Employment after completing the LIBER HIBERNIÆ.

"SHOULD Mr. Goulburn condescend to apply to me on your subject, I can only repeat what I have already said, to which it seems Mr. Goulburn is little disposed to pay attention. I very much fear, therefore, that you will be finally treated as my unfortunate nephew has been treated."

To Rowley Lascelles, Esq.

Appendix (T.)
No. 1.
Extract Letter from Lord Redesdale to Mr. Lascelles.

— No. 2. —

COPY of the NOTE from the Under Secretary for *Ireland* to the King's Printer, 25 September 1830.

SIR CHARLES FLINT presents his compliments to the King's Printer, and requests to be informed of the amount of the expense to complete the printing of the remainder of the second volume of Mr. Lascelles' work (exclusive of any index), as also the amount of any additional expense that may have been incurred in printing the work since the last account was furnished by the King's Printer.

Irish Office, London,
25 Sept. 1830.

No. 2.
Sir Charles Flint's Note to the King's Printer,
25 Sept. 1830.

— No. 3. —

THE King's Printer's LETTER, 31 October 1831, to Mr. *Lascelles*, containing the Under-Secretary's Note to him about completing the LIBER HIBERNIÆ.

Dear Sir,

I HAVE no hesitation in saying that upon my making a communication to you of Sir Charles Flint's letter of the 25th September 1830, you came to our office, and thereupon made up an Estimate of the Unfinished Parts, in pursuance of the terms of that letter.

I am, dear Sir, your's very truly,

His Majesty's Printing Office,
31 October 1831.

Robert Spottiswoode.

No. 3.
King's Printer's Letter to Mr. Lascelles.

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Arms, College of: *Beltz, George Ludwith,* 6694–6750.

Augmentation Office: *Adlington, J. E.,* 4793–4828. *Boteler, H. F.,* 6101–6120. *Cole,* Mr., 3331–4954, 7906–7911. *Cooper, Charles Purton,* 1–1281, 1474–2969, 7692–8163. *Gage, John,* 4984–5077. *Grimaldi, Stacey,* 6494–6630. *Hardy, T. D.,* 3521–3724. *Hewlett, W. H.,* 530–824. *Protheroe, Edward,* 1282–1669, 1965–2156, 3352, 3353. *Vincent, William Henry,* 1670–1751.

British Museum: *Cole,* Mr., 3331–4954, 7906–7911. *Cooper, Charles Purton,* 7962–8163. *Ellis,* Sir *H.,* 5540–5591. *Hardy, T. D.,* 3521–3724. *Hodgson, John,* 3360–3386. *Madden,* Sir *F.,* 5063–5537. *Protheroe, Edward,* 1282–1669, 1965–2156, 3352, 3353.

Chancery Records: *Cooper, Charles Purton,* 1–1281, 1474–2969, 7692–8163. *Drewe, David,* 6690–6693. *Freshfield, J. William,* jun. 075–8097. *Merivale, J. Herman,* 5573–6687. *Parkes, Joseph,* 4374–4413. *Petrie, Henry,* 3387–3578. *Standen, John Henry,* 6254–6265. *Sugden,* Sir *Edward,* 7981–8042. *Vice-Chancellor,* 6657–6689. *Wetherell,* Sir *Charles,* 5984–6055.

Chapter House, Westminster: *Cooper, C. P.,* 1–1281, 1474–2969, 7692–8163. *Gage, John,* 4984–5077. *Grimaldi, Stacey,* 6494–6630. *Kempe, Alfred John,* 6184–6198. *Palgrave,* Sir *F.,* 4115–4266, 5258–5272. *Merivale, John H.,* 5573–6687. *Phillips,* Sir *Thomas,* 7476–7577.

College of Arms: *Beltz, George Ludwith,* 6694–6750.

Common Pleas: *Cooper, Charles Purton,* 1–1281, 1474–2969, 7692–8163. *Hewlett, W. H.,* 530–824. *Illingworth, William,* 827–991. *Leake, William,* 6123–6150.

Cornwall, Duchy of: *Abbott, Thomas,* 2962*–3953*. *Cole,* 3331–4954, 7906–7911. *Coode, Henry,* 3990–4050. *Cooper, Charles Purton,* 1–1281, 7692–8163. *Hardy, T. D.,* 3521–3724.

Courts of Law: *Freshfield, J. W.,* jun., 8075–8097. *Grimaldi, Stacey,* 6494–6630. *Lyndhurst,* Lord, 8192–8217. *Sugden,* Sir *Edward,* 7981–8042.

Crown Office: *Cooper, Charles P.,* 1–1281, 1474–2969, 7692–8163.

Examiner's Office: *Leake, William,* 6123–6150. *Spence, George,* 5783–5840.

Exchequer Office: *Cooper, C. P.,* 1–1281, 1474–2969, 7692–8163. *Eden, Arthur* 7264–7309. *Freshfield, J. W.,* jun., 8075–8097. *Grimaldi, Stacey,* 6494–6630. *Leake, William,* 6123–6150. *Protheroe, Edward,* 1282–1669, 1965–2156, 3352, 3353.

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General Record Office: *Alderson,* Baron, 7642–7689. *Illingworth, William,* 827–991. *Langdale,* Lord, 4476–4564. *Lyndhurst,* Lord, 8192–8217. *Littledale,* Mr. Justice, 8281–8313. *Merivale, J. H.,* 5573–6687. *Palgrave,* Sir *F.,* 4115–4266, 5258–5272. *Parkes, Joseph,* 4374–4413. *Sugden,* Sir *Edward,* 7981–8042. *Wetherell,* Sir *Charles,* 5984–6055.

Inrolment Office: *Spence, George,* 5783–5840.

King's Bench: *Bruce, John,* 5879–5932. *Cooper, C. P.,* 1–1281, 1474–2969, 7692–8163. *Freshfield, J. W.,* jun., 8075–8097. *Grimaldi, Stacey,* 6494–6630. *Hewlett, W. H.* 560–824. *Leake, William,* 6123–6150. *Palgrave,* Sir *F.,* 4115–4266, 5258–5272.

King's Remembrancer: *Cole,* 3331–4954, 7906–7911. *Cooper, C. P.,* 1–1281, 1474–2969, 7692–8163. *Hardy, T. D.,* 3521–3724. *Hunter,* Rev. *J.,* 3115–3358, 6267–6313, 7946–8812. *Vincent, Henry William,* 1670–1751.

Lambeth Palace: *Boteler, H. F.,* 6101–6120.

Lancaster, Duchy of: *Baines, Edward,* M. P., 5386–5462. *Cooper, C. P.,* 1–1281, 1474–2969, 7692–8163. *Danvers, Frederick D.,* 7173–7219.

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Lord Treasurer's Remembrancer: *Cooper, C. P.,* 1–1281, 1474–2969, 3055–3157, 6842–6900, 7692–8163. *Foxton, William,* 7116–7131. *Gage, John,* 4984–5077. *Vincent, William Henry,* 1670–1751.

Pell Office: *Cooper, C. P.,* 1–1281. *Eden, Arthur,* 7264–7309.

Petty Bag Office: *Cooper, C. P.,* 1474–2969. *Hewlett, W. H.,* 530–824.

Pipe Office: *Cooper, C. P.,* 1–1281, 1474–2969, 3055–3157, 6842–6900, 7692–8163, *Gage, John,* 4984–5077. *Hardy, T. D.,* 3521–3724. *Panton, Charles,* 7041–7107.

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Six Clerks Office: *Drewe, David,* 6690–6693. *Leake, William,* 6123–6150. *Vice-Chancellor,* 6657–6689. *Spence, George,* 5783–5840. *Standen, John Henry,* 6254–6265. *Turton, William,* 6634–6682.

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Tower: *Baines, Edward,* M. P., 5386–5462. *Cooper, C. P.,* 1–1281, 1474–2969. *Gage, John,* 4984–5077. *Grimaldi, Stacey,* 6494–6630. *Hardy, T. D.,* 3521–3724, 4824–4827. *Hodgson, John,* 3360–3386. *Palgrave,* Sir *F.,* 4115–4366, 5272–5258. *Parkes, Joseph,* 4374–4413. *Petrie, Henry,* 3387–3578. *Roberts, Charles,* 6942–7040.

IRELAND.

Dublin Castle: *Groves,* Rev. *Edward,* 5107–5135.

Rolls Office: *Fleming, James,* 8238–8251.

Registry of Deeds Office: *Groves,* Rev. *Edward,* 5107–5135.

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Custody of Records could not be lightly changed, persons who have custody of money the same right as a patent office, 7369——Necessity of a paid secretary in reference to witness's plan for remodelling the Board, 7371——Witness is of opinion against the introduction of salaried Commissioners, 7375——Judges are legal and regular keepers of Records in their own courts, 7376——Judges frequent attenders at the Board, 7379——Examination as to nature of publications, and value of Pipe Rolls; mode of selection by the Board, 7381–7397——Publications of the present Board have, generally speaking, been within the estimate, except in some few instances where great alterations were made by editors, 7399——Extent to which works of Record Commission have been useful to witness in literary pursuits, 7402–7408——Works give opportunities of information to those who engage in historical inquiry which they had not before, 7409——Evidence as to suspended work, and debt of the Commission, 7410–7414.

Allen, John—continued.
Opinion of the parliamentary writs, 7421——No person can doubt of the utility and value of the work, 7421——Value of Close Rolls, Patent Rolls and Pipe Rolls, 7409, 7423——Value of the work entitled "Materials for the History of Great Britain," 7424——Reasons why present histories of this country are not such as should satisfy us, 7425——Record Commission right to avail themselves of the peace of Europe to collect materials from foreign countries, 7428——Witness received a letter from Copenhagen, stating that the Danish Government was willing to open the archives of Denmark to the British Record Commission, 7429——Witness knows nothing of the Appendixes that have been prepared for the Report, 7430.

Almain Rolls. Have only a very defective old calendar, *Cooper* 1081.

Althorp, Lord. Unwillingness of Lord Althorp to go to Parliament to pay off the debts of the old Board, *Cooper* 2399——Unsatisfactory application of Lord Brougham to Lord Althorp for assistance as to funds to pay off debts, *Cooper* 2537–2540.
See also *Debts and Liabilities,* 1.

America. The patent of 3d February 1498, granted by Henry VII. to Sebastian Cabot, establishing the first discovery of the American Continent by an English expedition, late found among a confused heap of privy seal and signed bills in the Rolls Chapel, *Rep.* x.

America, North. Feelings with which presents of the publications of the Record Commission have been received in America, *Rich* 6339——List of public libraries in America to which the publications have been sent, *Rich* 6340, *p.* 576.
List of libraries and other repositories in the United States to which copies of the publications of the Board in the whole, or in great part, have been presented in His Majesty's name, *App. p.* 784.

Analists. See *Ancient Analists.*

Analysis of Accounts. See *Accounts,* 1.

Ancient Analists. Innumerable errors therein may be corrected by reference to the original instruments, *Lingard, App.* 13, *p.* 730.

Ancient Charters, Scotland. Assistance of the Commission wanting for the completion of this work, to which a great deal has already been done, *Thomson* 3830*.
See also *Charters.*

Ancient Law Books. See *Bracton. Britton. Fleta. Glanville.*

Anglo-Norman Laws. Importance of the Anglo-Norman laws to the present law of England, *Stephens* 6774-6835.

Anglo-Saxon Laws. Compilation committed to Mr. Thorpe; terms agreed on for completion of the work; work proceeding in a satisfactory manner, *Cooper* 2167——Familiar knowledge of Anglo-Saxon laws necessary for writing a history of the law of England, *Wetherell* 5990——Knowledge of would be highly valuable in a constitutional point of view, *Spankie* 7444, 7445——Extent to which such publication could be considered useful, *Vice-Chancellor* 6660–6662——Knowledge of Saxon laws necessary to the understanding the English law, *Alderson* 7663——Committee appointed on this work, *Cooper* 7723——Publication of originated out of materials for history of Britain, *Cooper* 7914——Publication of more a matter of antiquarian research than of any public utility, *Littledale* 8302.

Anglo-Saxon Manuscripts. Are contained in Appendix (B.) to the Fœdera, being transcriptions and fac-similes found on the Continent, *Cooper* 2191——Appendix (B.) contains every fragment of Saxon witness has been able to discover, with the exception of a Psalter and some homilies found in Italy, *Cooper* 3122——Anglo-Saxon legends contained in Appendix (B.) to Rymer, *Protheroe* 2057, 2058——Publications undertaken by the Society of Antiquaries, *Taylor* 6173–6183.

Anglo-Saxon Poems. Witness not aware that a volume had been prepared containing a collection of old Anglo-Saxon poems, *Petrie* 3446.

Antiquarian Society. The wardrobe accounts and household accounts of Edward III. are the only Records published by the Antiquarian Society, *Stapleton* 5185——Has no funds for publishing Records, *Gurney* 5213——Does not profess to publish Records, has no funds for the purpose, *Gurney* 5214——Useful to historical writers, if they had followed the plan of the Academy of inscriptions and Belles Lettres in France, *Allen* 7425.

Antiquitates Britannicæ et Hiberniæ. Editing by the Royal Society of Northern Antiquaries at Copenhagen, and contains several documents relating to the history of this country, *Cooper* 8152–8154.

Appellate Jurisdiction. Witness always considered that the administration of justice could not be complete without an appellate jurisdiction from the East Indies; always wished to see one established, *Johnston* 5960.

Appendixes. Appendixes A. B. C. D. E. for Fœdera, so marked for convenience of the Committee, *Cooper* 2188——Nature of the documents contained in the various portfolios,

Appendixes—continued.

folios, *Cooper* 2188——The volumes reluctantly produced in an unfinished state by order of the Committee, *Cooper* 2243.

Appendix (A.) Evidence as to composition of this work undertaken by witness; labour of the work, *Cooper* 2202–2242——Collection of all works contained in the different libraries of Germany and Switzerland, of manuscripts and documents relating to British history, *Cooper* 2199, 3149.

Appendix (B.) comprises the transcripts and fac-similes of Anglo-Saxon manuscripts found on the continent; this may be regarded as a distinct compilation, *Cooper* 2191, 3123.

Appendix (C.) contains documents communicated on condition that they should be printed, *Cooper* 2191, 3133.

Appendix (D.) consists of documents from the Royal Archives of France relating to English affairs, *Cooper* 2181——Might be published as a separate work, *Cooper* 3140.

Appendix (E.) is a chronological catalogue of the materials transcribed for the new edition of the "Fœdera," *Cooper* 2191; *Stevenson* 3869.

These volumes may be looked upon as calendars or indexes for materials of British history, *Cooper* 2194——Employment of witness on this work, remuneration, &c., *Stevenson* 3789, 3791——Most desirable that it should form an independent work; reasons for this opinion, *Stevenson* 3800–3803.

See also *Agenda. Battle of Hastings. Drescher*, Dr. *Miscellaneous Records. Rymer's Fœdera.*

Applications for Publications. See *Libraries* 1.

Appointment. Witness never named a friend or relation as applicant for an appointment of any sort under the Record Commission, *Cooper* 7943.

See also *Clerks and Transcribers. Editors. Engagements. Sub-commissioners.*

Appointment of Official Commissioners. See *Constitution of the Record Commission*, 4.

Archives. See *France. Royal Archives.*

Archives of Germany. Not edited by Government, *Garnier* 4066——Published by a society established 1818 under the presidency of the Prussian minister Von Stein, *Garnier* 4068——Nature of funds, private subscription, *Garnier* 4073.

Archiv der Gesellschaft für Deutsche Geschichtskunde. Periodical published by the society established for editing Archives of Germany, *Garnier* 4068——Work on this plan recommended for England, *Garnier* 4083.

Arranging and Printing, comparative Advantage of. See *Printing*, 3.

Arrangement of Records. See *Auditors of Exchequer. Augmentation Office. Bankruptcy Court. Calendars. Catalogues. Chapter House. Cartæ Miscellaneæ. Chancery. Charter Rolls. College of Arms. Common Pleas. Cornwall, Duchy of. Courts of Law. Crown Office, Edinburgh. Examiner's Office, Chancery. First Fruits Office. General Record Office. House of Commons. Indexes. King's Bench. King's Remembrancer. Lancaster, Duchy of. Land Revenue. Lord Treasurer's Remembrancer*, 2. *Miscellaneous Records. Parliament Office. Pedes Finium. Pell Office. Petty Pay Office. Pipe Office. Prerogative Court. Printing. Privy Seals. Records*, 2. *Registrar of Chancery. Report Office. Rolls Chapel*, 1. *Six Clerks Office. State Paper Office. Tower*, 1. *Verdict Rolls.*

Arrangement. The executory clause of every commission enjoins the necessity of arrangement and preservation, *Rep.* v.

Arts and Manufactures. See *Close Rolls.*

Ashmolean Library. See *Beckington*, Mr.

Assize Rolls. State of these documents at the Chapter House as to preservation, *Palgrave* 4338——Their arrangement is topographical and chronological, *Palgrave* 4338.

Auditing Accounts. See *Accounts*, 3.

Auditor and Chamberlain of the Exchequer. A new arrangement made since 1800, which is stated in the return to be as convenient as the character and nature of the Records will admit of, *Cooper* 671.

Augmentation Office:

1. *Generally.*
2. *Custody of.*
3. *State of Building and Office past and present, Indexes and Calendars.*
4. *Consequences of the Burning of the Houses of Parliament.*
5. *Fees, past and present.*
6. *Papers laid before the Committee.*

1. *Generally.*

Records deposited there are subject to all the accidents of private dwellings, *Rep. p.* viii.——Danger thereto from fire, shown by the danger to the office during the burning

AUGMENTATION OFFICE—1. *Generally*—continued.

ing of the Houses of Parliament; dirty state of the rooms and Records; want of arrangement; improvements during Mr. Cole's keepership, and suspension of them since his removal, *Rep.* xvi. xvii.——Commission issued for methodizing this office formerly; similar commission recommended by the Committee of 1800 to be issued for methodizing other Record Offices, *Rep.* xx.——The Calendars are not good; new Calendars forming when Mr. Cole was discharged have since been discontinued, *Rep.* xxi.——Private Calendars made by persons in the employ of the public have passed by public sale into the hands of private individuals, and been thus lost to the public, *Rep.* xxiii.——Improvements therein as regards fees during the period Mr. Cole had the custody of the office, *Rep.* xxv. xxvi.——The late Mr. Caley was in the habit of sending the Records of the Augmentation Office to his house in Spa-fields, where they suffered severely from the most careless treatment, *Rep.* xxvi.——The present Commission has taken part in the management of the Records of this office, *Cooper* 247——Employment of Mr. Cole on the death of Mr. Caley, *Cooper* 198, 426; *Cole* 4590——It has been stated before this Committee that there has been a new and greatly improved arrangement made in this office, under the care of the Commission; upon this point former parts of my evidence may be consulted, *Cooper* 672.

2. *Custody.*

May now be considered in the custody of the King's Remembrancer, *Cooper* 410, 503——Defect in Act on this subject, *Cooper* 410——Letter of Lord Abinger to the Treasury as to the custody of the Augmentation Office Records, *Cooper* 1026——Copy of letter to Mr. S. Rice relative to custody of Augmentation Office, *Cooper* 8108——Statement and correspondence concerning transactions with Mr. Vincent respecting the custody of the Augmentation Office Records, *Cooper* 1474——Correspondence and evidence concerning the Augmentation Office; disputes with the secretary of the Record Commission, *Vincent* 1677–1696——Circumstances under which witness submitted his correspondence with Mr. Cooper relative to the Augmentation Office to Mr. Protheroe, *Vincent* 1741——Evidence concerning the disputes and correspondence of Mr. Vincent and Mr. Cooper, *Protheroe* 1532——On witness's dismissal, he deposited the keys of the office with the Treasury, *Cole* 4729——Keeper of Augmentation Office, appointed by King's Remembrancer; evidence as to arrangement, *Adlington* 4799, 4823, 4828.

3. *State of Building, Indexes, Calendaring.*

Mr. Protheroe's report on the insecurity of the buildings from fire, *Cooper* 419——Witness's statement concerning the dirty state of the office in no way exaggerated, *Protheroe* 1350, 1351; *Cole* 4590——Calendars in this office not good, *Cooper* 447——Calendars in preparation by Mr. Cole remain in the office, *Cooper* 467——State of Records at the Augmentation Office during Mr. Caley's life, difficulty of reference, &c., *Hewlett* 776; *Hardy* 3635; *Cole* 4712——Great facilities afforded since Mr. Cole's arrangement, *Hewlett* 808——Witness's intention as to classification of Records had he not been interrupted, *Cole* 4724——Mr. Caley's was topographical, *Illingworth* 979——Want of arrangement in Mr. Caley's plan; superiority of Mr. Cole's, *Protheroe* 1355, 1360–1365——Disapproval of Mr. Cole's plan, *Cooper* 214, 2438; *Hunter* 3281–3344——Explanation of Mr. Cole, *Cole* 4615–4619——Instances of Mr. Caley's arrangement of the Records at the Augmentation Office, *Cole* 4833——System adopted by witness in arranging the Records; arranged in classes; a topographical arrangement, *Cole* 4696——This arrangement will supply the place of a calendar, *Cole* 4697.

Arrangement adopted by witness by sorting topographically, and subdividing chronologically, *Cole* 4836——Proceeding with the calendar when labours were interrupted, *Cole* 4838——From Mr. Caley's plan a considerable outlay of public money has been lost in arranging Records at the Augmentation Office, *Cole* 4842——Cause of witness having cut off tickets placed to Records by Mr. Cayley, *Cole* 4841——Evidence concerning Mr. Cole having cut off tickets, *Cooper* 1281——Bad state of Records in Mr. Caley's life-time, *Hardy* 3635——Great improvements effected by Mr. Cole, not only in arrangement, but also in making them more accessible, *Hardy* 3636——Evidence as to division of a minister's account, *Hardy* 3637–3641——When first witness saw the Augmentation Office, 1833, it was in a most disgraceful state, *Cole* 4658, 4659——Classes of Records were very badly arranged locally, *Cole* 4660——Re-arrangement of Records at the Augmentation Office after witness's appointment as keeper by Mr. Cooper, *Cole* 4670——Good state of arrangement at this office, *Gage* 5051; *Grimaldi* 6529; *Phillips* 7504——Records better classed and more accessible than formerly, *Phillips* 7504.

4. *Consequences of Burning of Houses of Parliament.*

Manner in which Records were saved at the fire; destruction of those belonging to the Augmentation Office, *Cooper* 474; *Cole* 4687–4692——Confusion caused in the Records of the Augmentation Office owing to dispersion at the fire of the Houses of Parliament, *Hewlett* 810——Evidence as to insecurity of Records from fire, *Protheroe* 1317——Exertions made to save the Records at the fire of the Houses of Parliament, *Protheroe* 1373–1379——Conduct of witness at the fire of the Houses of Parliament; rewarded by Commissioners for his exertions, *Cole* 4687–4692——Steps taken to arrange the Records thus thrown

Augmentation Office—4. *Consequences of Burning of Houses of Parliament.*—cont^d.
thrown into confusion, *Cole* 4693——Loss of Records at the fire of the Houses of Parliament, *Phillips* 7552.

5. *Fees, past and present.*

Table of old fees, and those approved of by Commissioners of 1822, *Cooper* 217——While the Board was in possession of the Office, injunction to Mr. Cole to allow search without payment of fees, *Cooper*, 499——No fees have been reduced except those at the Augmentation Office, *Hewlett* 768——Charged *ad libitum*, *Illingworth* 918; *Cole* 4712——Evidence as to fees, *Cooper* 1805——Reduction of fees by witness on being appointed to the office, *Cole* 4712–4715.

6. *Papers laid before the Committee.*

Sum paid for index to the Records at this office, *App. p.* 772——Expenses of sorting, cleaning, arranging, repairing and binding the Records at this office, *App. p.* 771——Report of Messrs. Hallam & Petit on the work carrying on at this office under the authority of the Board, dated 19 Feb. 1835, *App. p.* 873——Correspondence between C. P. Cooper, esq. and H. W. Vincent, esq. relative to the Record Board retaining possession of the Records of this office after Mr. Caley's death, *App. p.* 887–890.

See also *Abinger*, Lord. *Adlington*, Mr. *Caley*, Mr. *Binding*. *British Museum*. *Cole*, Mr. *Court or Manor Rolls*. *Cornwall, Duchy of*, 2. *Gay*, Mr. *Reports*.

Authority of the Commission. Has little or no authority over keepers of Records, *Cooper* 317——The Board has no power to repair and bind without leave of the keepers who have the legal custody, *Cooper* 439——How far authorized to print works not ancient Records, *Cooper* 1868, 2031.

See also *Constitution of the Commission*, 1. *Board of Commissioners*. *Printing*, 2. *Secretary*. *Sub-commissioners*.

Authority of the Commission for Printing. See *Printing*, 2.

B.

Babbage, Mr. Extract from Mr. Babbage's statement of the expenses of printing his Economy of Manufactures, *Rees* 5384.

Bacon Francis. Assistance given by Mr. Bacon in compiling the account of the public Records, *Cooper* 2966——Did not receive payment for writing article on Commission in Edinburgh Review, *Cooper* 2960.

Bacon Roger. Collection of his inedited works being published by the French Record Commission, *Wright* 8274.

Bagga de Secretes. Evidence concerning the Bagga de Secretes, *Cooper* 1776–1780.

Bailey, Mr. Witness employed to examine his bills to the Corporation of Liverpool; result thereof, *Illingworth* 853.

Baker, Mr. Receives only 4*d.* per folio for transcribing; he demanded to be paid at the rate of 6*d.*, *Cooper* 1856.

Sum paid him for transcript of the Acts and Ordinances of the Privy Council of England, and for compiling the indexes thereto, *App.* 769.

Baldwin and Cradock. See *Publication of Records*, 4.

Ballads. Extent to which early ballads are necessary in forming materials for history, *Cooper* 3086.

Bank of England. The present proposition is that money shall be paid out of the Bank of England; to be drawn out on the sanction of three Commissioners, *Protheroe* 1430–1431.——Mode in which grant for Record Commission might best be paid into the Bank of England, *Cooper* 7780.

Bankruptcy Court. Nature of arrangement of documents; places of deposit; custody of Records, *Lawes* 6751–6767.

Bannatyne Club. Evidence of the anxiety of this club to print useful manuscript Records, *Tytler* 4575——Already has published works which abridge the labour of the Scottish historian, *Tytler* 4580.

Catalogue of historical works printed for this club, *App. p.* 911, 912. Books preparing for publication by the club, *App. p.* 912.

Baring Mr. Letter from him authorizing removal of Mr. Petrie from editorship of the History of Britain, *Cooper* 2169.

Letters from him to F. Baring, esq., dated April 13th and June 2d 1836, respecting certain returns of the receipts and disbursements of the Record Board, *App p.* 788.

Barnes, Edward. (Analysis of his Evidence.)—Has published a voluminous History of the County Palatine of Lancaster, 5386——Has found the works of the Record Commission of essential service in facilitating historical investigations, 5387——Their publications

Barnes, Edward. (Analysis of his Evidence)—*continued.*
extremely judicious, 5388–5416——Advantages witness has experienced from the publications from the Duchy of Lancaster office, 5391.

Examination as to value of proceedings of the Commission generally, 5390–5401——The Commission has provided indexes for the different Records in various offices, which did not exist before, 5401——In the Duchy of Lancaster office the Records have been methodized, and calendars and catalogues have been made, 5402——Use of these catalogues to a person residing at a distance from London, 5405–5407——Many of the publications of great value as an analysis of Records, 5408——A person engaged in general historical inquiries would obtain a vast mass of information from the Records in the Tower, 5441——The general course of historical inquiry in the country has been materially assisted by the labours of the Commission. The Commission the greatest benefit that was ever conferred upon the historical and topographical literature of the country, 5442——Evidence of the usefulness of the works to those writing on topographical subjects, 5447–5449——Evidence as to Whittaker's History of Manchester and History of Craven, 5454——Harleian and Cottonian catalogues of great service in country histories, 5462.

Battle of Hastings. Poem in praise of William the Conqueror, copied from library at Brussels, in Appendix (A.) to Rymer, *Cooper* 2191——Metrical account of King William's descent at the Conquest, *Cooper* 3068, 3069——Evidence concerning a poem "De Bello Normanico," printed in Appendix (C.), and formerly printed by Mr. Petrie, *Cooper* 3136——Evidence concerning a poem "De Bello Hustingensio," printed by witness, and reprinted apparently with witness's emendations in Appendix (C.) by Commission, *Petrie* 3455–3467.

Baumgartenberg. Evidence concerning the library at this monastery, *Cooper* 2204.

Bayley, Mr. Report of Committee of his bills in chancery; form of printing, &c., *Cooper* 2809——His engagement as editor of proceedings in chancery, *Cooper* 1922——Committee appointed on Mr. Bayley's publication of Calendars in chancery, *Cooper* 7714.

Bavaria, History of. Reasons why this work was purchased for the use of the Record Commission, *Cooper* 3147.

Bedford, Duke of. Answer given to him when desirous of using some document in the State Paper Office, *Nicolas* 3979.

Belgium. Nature of commission issued by the King of the Belgians for collecting Records relating to Belgium, *Madden* 5473, 5474.

Transcripts of documents in the different archives and libraries of the Low Countries, *App. p.* 884.

Beckington, T. Manuscript of his embassy to Count of Armagnac found in Ashmolean Library. No publisher would undertake to print this curious document; witness published it at his own expense, *Nicolas* 3965.

Beckhampstead. Curious document discovered by witness in reference to property purchased at Beckhampstead by King Richard II., *Palgrave* 4333.

Beltz, George L. (Analysis of his Evidence.)—Member of the corporation of the College of Arms, 6694——Use of the publications of the Record Commission for genealogical purposes, 6697, 6698——Deficiencies in the Calendars from want of columns of heirs to deceased persons, 6699——Value of the work Calendarium Hæredum in supplying the defect, 6700——Pipe Rolls, Concords, Fine Rolls, Close Rolls, Patent Rolls and Pleadings are all highly important for the purpose of genealogical inquiries, 6702, 6703——Such publications could not have issued from any private source with any hope of indemnity for the expense, 6704, 6705–6707——Works issued under present Commission more creditable as to usefulness and accuracy than those issued by former Commission, 6708——Library at the College of Arms open to any literary person to make extracts, 6712, 6713——Use of the works in assisting witness in collecting materials for a new history of the Order of the Garter, 6716.

Witness has not been satisfied with the accuracy of calendars; frequently found them erroneous, 6719-6723——Value of a Calendarium Hæredum; such work now being prepared by order of the Board, 6723-6726——Witness has found mistakes in the new edition of the Fœdera, which have been continued from the former works, 6730–6732——Commission has exercised a sound judgment in suspending the publication of the work, 6733——A supplement or continuation of Rymer would be most expedient, 6734——Witness has found many valuable materials in foreign libraries, which might form part of such supplement, 6736—— Calendar of the Inquisitions at the Rolls Chapel would be a very useful work, 6738——State of Records at College of Arms, 6740——Indexes, 6740-6744——Nature of fees for searches; no charges made to literary men, 6747——Have indexes to every work, but preparing others on a better and more accessible scale, 6744, 6749, 6750.

Benson, R. (Analysis of his Evidence.)—Recorder of Salisbury, 4955——Consulted many of the Record offices, 4957——Researches been made with a view to illustrate the Topography of Wiltshire, now in progress, 4959——Has derived the greatest advantage from the publications of the Commissioners of Records, 4960——Without which witness could not have gained the information he wanted, 4962——Publication of the Record

Benson, R. (Analysis of his Evidence)—*continued.*

Record Commission has been serviceable in advancing a knowledge of English law and jurisprudence, 4964——Great value of the authentic document of the Statutes of the Realm, 4965——Has examined the works published by the new Commission, and considers them all of great utility, 4968——Value of the Calendars of Proceedings in Chancery, 4969——Proceedings of the Curiæ Regis make complete our knowledge of the constitution and proceedings of our courts, 4970——Rolls of Chancery and all other Records should be printed entire down to the end of King John, 4971——Witness much struck with the Planta Coronæ inserted in Curiæ Regis, made during the Itinera of the Judges in Eyre, 4973——The Final Concords, speaking topographically, must be very useful, 4974——Nature of the Records preserved at Salisbury, 4975——Witness's opinion as to the best formation of a Record Board; should be a Board of unpaid Commissioners, 4976——Nature of errors in the publication of the Quo Warranto Notes, 4978.

Bill in Parliament. Nature of the Bill about to be introduced by Lord Duncannon, 1834, on the subject of building a Record Office, and reduction of fees, *Cooper* 359——Reasons of failure of Bill for the purpose of building a Record Office, *Allen* 7339.

Binding. Errors committed by Mr. Cayley in binding, *Illingworth* 987; *Protheroe* 1352——Evidence respecting binding Records at the Rolls Chapel; Witness's plan of portfolios sanctioned by the secretary, *Cole* 4737——Evidence explanatory of the mode in which Records bound in volumes are removed for copying, and replaced without injury, *Palmer* 6252.

Sum paid by the Record Commission for binding, &c., from January to July 1834, *App.* 767, 768.

See also *Doomsday Book.*

Black, Mr. Entrusted with the drawing up of the Report on Rymer's "Fœdera," *Cooper* 2189, 2190——Department superintended by him; amount of remuneration received by him, *Cooper* 2947——Informed witness that there was no intention of printing a new edition of the "Fœdera" at present, *Protheroe* 1996——Has written the Report to the new edition of Rymer, *Protheroe* 2079.

Black, Mr. *W. H.* Edits the Docquet Book of King Charles I. at Oxford, *Cooper* 46.

Sum paid him as editor of the Docket Book of King Charles I., *App. p.* 770——Synoptical Catalogue of foreign transcripts in his custody, *App. p.* 883–885.

Board of Commissioners. Mode of calling meetings of the Board at present and formerly, *Cooper* 10, 13, 14——Explanation of former evidence concerning meeting of boards, *Cooper p.* 17——Correspondence by witness, as secretary, not a hundreth part of the correspondence laid before the Board, *Cooper* 128——Present Board has not fulfilled its duty, *Protheroe* 1297——Not so effective as it might have been with even its present powers; not so effective as it it would have been with increased authority, *Protheroe* 2155——Comparison as to mode of conducting business by former and present Boards, *Protheroe* 1632–1636——Order in which Commissioners should proceed in the work entrusted to them, *Protheroe* 1293——Mode of calling Boards practically in the hands of the secretary, *Protheroe* 1312–1316, 1340——Evidence as to intercourse of King's Remembrancer with the Commission; Difficult to distinguish between the Board and secretary, *Vincent* 1733, 1739——Evidence explanatory of the reasons for witness's letter to Mr. Ker, on the subject of difficulty of getting Boards to meet, was during the meetings in the Lord Chancellor's room, *Cooper* 7799–7806——Order of the Board that all future engagements shall be made in writing, *Cooper* 7797.

Days of the meetings of Boards and committees of His Majesty's Commissioners on the Public Records, from March 1831 to December 1835, with the names of the Commissioners present, *App. p.* 844–852.

See also *Authority of Commission. Constitution of Commission. Commissioners of Records. Correspondence. Custody of Records.*

Boards and Committees. Days of the meetings of boards and committees of His Majesty's Commissioners on the Public Records, from March 1831 to December 1835, with the names of the Commissioners present, *App. p.* 844–852.

See also *Committees.*

Bodleian Library. The Commission have obtained copies of catalogues of transcripts of Mr. Dodsworth in the Bodleian Library, *Rep.* xxii.

A catalogue of the manuscripts there has been framed under the direction of the Board, *App.* 866.

See also *Brewer,* Mr. *J. S.*

Bolden Book. Very valuable information respecting the condition, the rents and services of Villeins to be derived from this work, *Lingard, App. Q.* 12, *p.* 730.

Bond, Messrs. Discharged at the same time Mr. Cole and Mr. Hardy were dismissed, *Protheroe* 1632——His discharge from the Augmentation Office, *Stevenson* 3856——E. Bond

Bond, Messrs—*continued.*

no sooner rendered competent by Mr. Hardy to read and transcribe, than removed by the secretary, *Cole* 4781——Mr. R. Bond educated by Mr. Cole to understand Records, *Cole* 4781.

Nature of Mr. E. Bond's employment, and payments made in respect thereof, *App. p.* 770.

• *Book Keeping.* Mode of, adopted by witness in keeping the accounts of the Record Commission, *Cooper* 2269.

See also *Accounts. Account Books.*

Booksellers:

1. *Opinion that publications of Records might be undertaken by private means.*
2. *Opinions of the impossibility of Booksellers or others publishing such works as Records.*
3. *Papers laid before the Committee.*

1. *Opinions that publications might be undertaken by private means.*

Witness has thought it probable persons might be found to publish small portions of Records on their own responsibility, *Protheroe* 1693——Witness quite satisfied that literary men and booksellers would find it worth their while to publish interesting Records at their own expense, *Cole* 4917.

2. *Opinions of the impossibility of Booksellers or others publishing such works as Records.*

Difficult to find persons who would undertake such works as the larger Records on their own responsibility, *Protheroe* 1490-1493——No private publisher could have repaid himself in publishing such works as the Record Commissioners have printed, *Gage* 4994——Not possible for any individuals to publish Records and cover expenses; by personal favour or subscription it might be done, but could not as an ordinary speculation, *Stapleton* 5180——Utterly impossible for any individual bookseller to publish any series of Records such as would be published by the Government of a country, *Gurney* 5218——Class of literature laid open by the Commission not likely to answer as a mercantile speculation to any body of publishers, *Gurney* 5228——Works which have been published by Commission are works which could not have been undertaken by booksellers as matters of private speculation, or by associated booksellers, *Palgrave* 5268.

They could have been printed in no way but at the public expense, *Palgrave* 5269——Works could not be undertaken by any private individual or by any combination among the booksellers, *Murray* 5274——Publications of the nature of those of Record Commission could not be undertaken, either by an individual or by any combination of booksellers, with any prospect of profit, *Rees* 5328, 5329——Works of the nature of Records could not be undertaken by individuals at their own expense without great loss, *Madden* 5477——No individual bookseller, or company of booksellers, would have entered into such a speculation as publishing Records, *Ellis* 5552——It would be next to impossible to get any bookseller to undertake works of the nature of the Record Commissioners' publications, *Spence* 5792; *Sweet* 6068, 6070——No bookseller could have been induced to publish the works of the Commission at his own charge, inasmuch as they would not have met with a sale corresponding with the expense, *Nichols* 5846.

Such publications as those of the Record Commission witness does not think could be undertaken by booksellers as mercantile speculations, *Bruce* 5929——Witness doubts much whether any bookseller would undertake such publications as those of the Record Commission, *Wetherell* 6021——No bookseller would undertake publication of Records even with access to the Record Offices, *Sweet* 6071——Private persons could not have undertaken the publication, the expense would have been too great, *Boteler* 6104——Works published by the Commission by no means such as could have realized a profit, or indemnified the bookselling trade for their expenses, *Kempe* 6190——Witness satisfied that there could be no profit, nor any reasonable compensation to any person publishing such works as those of the Commission, *Brayley* 6366——The works could never have been published as a matter of commercial speculation, *Grimaldi* 6512.

Record works could not have issued from a private source with any hope of indemnity, *Beltz* 6704-6707——Sale of such works as Records not likely to induce any bookseller to undertake the work, *Phillips* 7514——No bookseller of the present day would undertake a work of the nature of a Record publication, *Hallam* 7581——Invariable answer of booksellers that printing Records would not pay for publication, *Merewether* 8057——Quite impossible for any bookseller to have undertaken Records, the speculation would have ruined him, *Merivale* 5702, 5704——No company or individual will ever undertake to publish at their own risk the contents of the national archives, *Lingard, App. Q.* 4, *p.* 730; *Southey, App. Q.* 4, *p.* 731.

3. *Papers laid before the Committee.*

Selections from different booksellers' bills of the works bought of them by the Record Commission, *App. p.* 838-843.

Books:

Books:

1. *Purchased by Commission.*
2. *Used by Secretary.*
3. *Used by Sub-commissioners and Editors.*

1. *Purchased by Commission.*

Expenditure of 1800*l.* on books, entirely under the discretionary power of the secretary, *Protheroe* 2087, 2088——Evidence as to purchase of books by witness while forming the materials for a Report on the Fœdera purchased at witness's own expense to the extent of 500*l.*, *Cooper p.* 88, *Ev.* 1281, 3141, 2374, 2390——Reasons for the purchase of various publications for the use of the Commission, *Cooper* 3141–3156 ——Explanations relative to books purchased, *Cooper* 8115——Witness aware the Commission possesses a library which has cost several hundred pounds, and it is kept at Boswell Court, *Hallam* 7630–7634.

Catalogue of books purchased for the use of the Commission since 12 March 1831, *App. p.* 788–804.

2. *Used by Secretary.*

Witness read or went through upwards of 2000 volumes in compiling Appendix (A.) to Rymer's Fœdera, *Cooper* 2202——Evidence concerning books purchased or examined for the compilation of Appendix to Report on Rymer's Fœdera, *Cooper* 2202–2244.

3. *Used by Sub-commissioners or Editors.*

Ten pounds' worth of books may have been purchased for the Augmentation Office, *Cole* 4782——Impossible to say where the library of the Commission is kept, *Cole* 4789 ——Witness had a few books belonging to the old Commission, but has been compelled to buy for himself to the extent of 60*l.* or 70*l.*, *Hardy* 3683——Witness has borrowed books from the library of Record Commission for his private use, not for Commission work, *Stevenson* 3858–3863——Works purchased by witness to enable him to complete catlaogue of documents transcribed for the Fœdera, *Stevenson* 3864——Has been desired by Mr. Cooper to charge the Commission for books, but has not done so, *Stevenson* 3866 ——Only instance in which witness purchased a book at expense of Commission, was Tanner's Notitia Monastica, *Stevenson* 3867.

See also *Transcribers.*

Books produced before the Committee. See *Publications*, 1.

Bosanquet, Mr. Justice. Letter from him to Mr. Cooper, dated 9 June 1836, respecting the constitution of the Record Board, *App. p.* 869.

Boteler, H. F. (Analysis of his Evidence)—King's Counsel and Recorder of Canterbury, 6100——Great service of the Taxation of Pope Nicolas, the Nonæ Rolls and the Valor Ecclesiasticus to parties engaged in tithe causes, 6101–6105——Private persons would not have undertaken the publication, expense would have been too great, 6104—— Parliamentary survey in Cromwell's time also much referred to, 6108——Ministers' accounts preserved in the Augmentation Office referred to very much in tithe causes, 6109——Terriers preserved in the registries of the different dioceses repeatedly referred to, 6110——No index of the Parliamentary Survey, 6112——Nor any published of the grants in the Rolls Chapel, 6112——At the Rolls Chapel the officer can find without difficulty, certain data being given, 6113——Great convenience to the public if the Parliamentary Survey at Lambeth was printed, 6116, 6117——Single copy only of the work; destruction of the document by fire would be attended with less mischief if printed, 6117——Does not know the mode in which officers of the Rolls find Records; but always receives them immediately 6118——The indexes to Pope Nicolas's Taxation, Nonæ Rolls, and Ecclesiastical Survey are very useful, 6119——Value of the Inquisitiones Post Mortem, from the assistance they afford in tracing the descent of families, or the history of estates, 6120.

Bouquet, Dom, and Muratori. Comparative merits of their plans for large historical works, *Garnier* 4076–4079, 4083; *Madden* 5494——Prefers the plan of Muratori to that of Dom Bouquet, *Ellis* 5561–5563——Collection of Dom Bouquet carried on at expense of Institute with Government assistance, *Wright* 6930——Statement by him respecting the disadvantages resulting from the following Bouquet's plan or any plan similar to Bouquet's, in the publication of the early monkish chronicles of Britain, *App. p.* 915.

See also *Gallia Historia.*

Brazils, History of. The publications of the Record Board could supply no information relative thereto, *Southey, App. Q.* 9–12 *p.* 731.

Bracton. New edition of this work a desirable publication, *Wetherell* 5988, 5989; *Stephens* 6768; *Spankie* 7035——Reasons for reprinting this and other ancient law books, *Wetherell* 7043——A wild speculation of any bookseller to attempt to publish such a work, *Sweet* 6060——Attempt of Mr. Butterworth to collect subscribers to a new publication of, given up though the editor had made considerable progress, *Sweet* 6061——Publication of such works would be more valuable among historians and antiquaries than lawyers, *Vice Chancellor* 6659——Desirable that there should be good editions of; but doubtful whether worth the expense, *Alderson* 7649——Would be honourable to the country, *Sugden* 8010——Whether it should be published, *Littledale* 8294.

Braye Peerage. Fees paid to officers of Record offices for copies of rolls, production of papers and attendance, *Nicolas* 3916-3923, 3941, 4166——Fees paid for production of wills from Doctors' Commons, *Nicolas* 3941.

Brayley, Edward Wedlake. (Analysis of his Evidence.)—Librarian of the Russell Institution, 6346——Engaged for many years in topographical pursuits, 6347——Had frequent occasion to consult the publications of the Record Commission, 6349——Witness regards them as containing the largest materials for topography, as well as for constitutional history which the country has produced, 6353——Witness's opinion of the new edition of Rymer's Fœdera, 6355——Catalogues published by the Commission very useful, 6357——Means of economizing the time of literary and legal inquiries, 6359, 6360——Works generally of great utility in all branches of literature connected with subjects of antiquity, 6363——Minutes of the Privy Council and the Close Rolls are very valuable, equal to any that have gone before, if not superior, 6364——Cause of general literature would suffer if publications were discontinued, 6365——Witness perfectly satisfied that there could be no profit, nor any reasonable compensation to any person publishing such works as those of the Commission, 6366——Regards their publication at the public expense, to be a justifiable application of public money, 6367——Examination as to expenses of the Commission, 6369——Quotation in a work of witness's, from selections from the Miscellaneous Records in the Exchequer, work lent by Mr. Cooper, 6380-6384.

Brewer, Mr. *J. S.* Payments made to him for framing catalogues of certain manuscripts in the Bodleian Library, and in the libraries of various different colleges at Oxford, *App. p.* 770.

Bristol, Port of. Difficulty of finding a document of essential importance in a great suit at law respecting the port of Bristol, *Rep.* xii.——Records, discovered by witness in searching unsorted bags of Records, of the highest importance respecting the dues on exports and imports at Bristol, *Illingworth* 941.

Britain, History of. Evidence as to nature of the work entitled "Historians of Britain," edited by Mr. Petrie, *Protheroe* 1638——Authority under which the Commission proceeds in this work, *Cooper* 2160, 3057——Nature of the work, extent of copying from ancient authors necessary, *Cooper* 2163——Cause of the work being suspended, *Cooper* 2166, 2167——Address of House of Commons founded on Mr. Petrie's plan for carrying forward this work, *Cooper* 3057, 3058, 3062——Progress made towards the completion of the collection of the Ancient Historians of Great Britain, *Cooper* 3157——How far the plan of Muratori having been preferred to Dom Bouquet's would have expedited the work, *Cooper* 3161——Better to proceed on plan of Muratori after the first volume, *Cooper* 3162——Extent to which it is necessary to search for, and nature of materials necessary for a complete History of Britain, *Cooper* 3057-3163——To whom the publication of the materials for the History of Great Britain would be a great convenience, *Hallam* 7637——Former historians have been less successful in writing their histories than they might otherwise have been in consequence of the absence of collections for materials, *Petrie* 3472.

A person capable of undertaking the task of writing history would labour under great disadvantages from the absence of such a work, *Petrie* 3475, 3487——Desirable that a more accurate history should be written than we at present possess, *Petrie* 3474——Doubts as to whether desirable to place different periods in different hands, *Petrie* 3477——Origin of the work; meeting at Lord Spencer's; application to Parliament, *Petrie* 3419-3423——Searches for materials by witness on the continent, *Petrie* 3425——Witness had no communication with the Board as to being supplied with information, *Petrie* 3427——No co-operation between witness and secretary; not aware that Mr. Cooper was collecting information for materials for History of Great Britain on the continent, *Petrie* 3430-3441——Copies of witness's work in press been sent abroad; unfairness of the step, *Petrie* 3470——Nature of communications between witness and the Board on the subject of suspending the work, *Petrie* 3406-3418.

Opinion on difficulties experienced by Mr. Petrie in prosecuting his work on materials for British History from danger of printing, and afterwards discovering new MSS in unsearched and uncatalogued collection, *Tytler* 4297——Witness's opinion of the materials for the History of Britain, and of the plan on which the work should be followed up, *Madden* 5490-5493; *Ellis* 5561-5563——Prefaces and notes to such a work should decidedly be in English, *Madden* 5493; *Ellis* 5568——Value of the work entitled "Materials for the History of Great Britain," *Allen* 7424——Work suspended; editorship withdrawn from Mr. Petrie, *Cooper* 2793——Order of Board, 1831, that Mr. Petrie should confer with Mr. Petit and Mr. Allen upon the contents of the Materials for the History of Britain, *Cooper* 7704——Committee appointed to consider whether Mr. Petrie's plan for the publication of Materials of History was in accordance with address of House of Commons, *Cooper* 7709——Committee appointed, 1832, relative to Materials for History, *Cooper* 7716.

Statement respecting the disadvantages resulting from following Bouquet's plan, or any similar plan, in the publication of the early monkish chronicles of this nation, *App. p.* 915-918.

See also *Baring,* Mr. *Bouquet, Dom.* *Spencer,* Lord.

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British Museum. Advantage to the public that the British Museum should be longer open, *Cooper* 2841——Private letter of witness which found its way into the British Museum, *Protheroe* 1286——Evidence concerning a letter written by Mr. Cooper in the name of Hughes, giving books to the British Museum, *Cole* 4951; *Protheroe* 1289; *Cooper* 2799.

Index of the Records at the Augmentation Office has been given to the British Museum, *App. p.* 772——Memorandum of Mr. Cowtan as to the mode of keeping the accounts of the British Museum, *App. p.* 833.

Britton. New edition of this work a desirable publication, *Wetherell* 5988, 5989——Reasons for re-printing this and other ancient law works, *Wetherell* 7043——A wild speculation in any bookseller to publish a new edition, *Sweet* 6060——Might be useful to historians and antiquaries more than lawyers, *Vice-Chancellor* 6659——Would be honourable to the country, *Sugden* 8010.

Brougham, Lord. His desire to sweep away impediments and abuses in the Record Commission, *Illingworth* 856, 860.——Statement delivered in by Sir R. Inglis from Lord Brougham, relative to the refusing to appoint either Mr. Hardy or Mr. Cole a Subcommissioner at the time and under the circumstances, *p.* 214——Selection of new Board of Commissioners undertaken by him; re-appointed every person who had taken an active part in the former Commission, *Nicolas* 3884——Considerable doubt whether Lord Brougham is at present Commissioner, *Nicolas* 3889–3896——Made many representations as to the payment of the debts of the old Board, *Cooper* 2403——Extract of a letter from witness to Lord Brougham, *Allen, p.* 632——Interview with Lord Brougham on the subject of Mr. Hardy and Mr. Cole, *Cooper* 7692——Evidence as to Lord Brougham quitting the chair when Mr. Protheroe had a motion to make, *Protheroe* 1303, 7813; *Cooper* 7809.

His opinion respecting the constitution of the present Record Board, *App. p.* 870–871.

Brougham, Mr. *W.* His opinion respecting the constitution of the Board, *App. p.* 868.

Bruce, John. (Analysis of his Evidence.)—Is acquainted with the works of the Record Commission, 5879——Works principally consulted by witness; Commission has acted wisely in its selection, 5882——Publication of the works has been an assistance to historical inquiries, 5884——Valuable information has been discovered relative to the reigns of Kings John and Richard II. from the publication of the Commission, 5885–5887——Information more valuable and more authentic from Records than Chronicles, 5892——History of the Barons' wars with King John, and disputes between the King and the Pope, have been greatly illustrated by works of Commission, 5893——Works generally of essential importance to the historical student, 5894——Proceedings under the present Commission a great improvement upon proceedings of former Commissions, 5895–5899.

Examination as to expense of publishing the Scotch Rolls, 5900——Study of Records a liberal pursuit which can only be carried on by gentlemen of talent and education; such men ought to be well paid, 5905——Publication of the Pipe Roll a proper measure; right date established by Mr. Hunter; of importance to have it accurately dated, 5908–5912——Valuable information contained in the Prefaces to the Close Rolls and Privy Council Books, 5916, 5917——Entertains a high opinion of the value of the edition of the Statutes, 5920——Witness entertains a high opinion of the value of the Close Rolls, 5922——Of the Patent Rolls, 5923——Of the Rotuli Curiæ Regis, 5926——Such publications, witness should think, could be undertaken by booksellers as a matter of commercial speculation, 5929——Witness always found the Docket Rolls and Judgment Rolls of the King's Bench in a satisfactory state, 5932.

Buccleugh, Duke of. See *Cartularies.*

Buchanan. See *Loseley Papers.*

Buildings. Commission has never possessed the actual control and regulation of Record buildings; their representations as to insufficiency not attended to, *Rep.* vii.——Buildings containing Records are too much scattered, *Rep.* vii.——Necessity for one entire fire-proof building for the rolls of courts of justice, *Rep.* viii.——Steps taken by Commissioners to obtain accurate knowledge of the state of buildings where Records are deposited, *Cooper* 342——Commission have neither power nor funds to do much as to buildings, *Cooper* 1784.

See also *Augmentation Office,* 3. *Bill in Parliament. General Record Office. Petty Bag Office.*

Bulls. Witness to have been employed in forming a descriptive catalogue of the Bulls which had been transcribed from the Papal Registers, *Stevenson* 3746.

Burning of Houses of Parliament. See *Augmentation Office,* 4.

Burrell v. *Nicholson.* See *Richmond Terrace.*

Byham, Mr. Letter handed in from Mr. Byham relative to Record Offices in the Tower, *Cooper p.* 87.

Letter of R. Byham, esq., Secretary to the Board of Ordnance, in answer to the application of the Record Commissioners that the gunpowder under Cæsar's Chapel at the Tower of London, might be removed, *App. p.* 903.

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Cædmon. Manner in which the Committee of the Society of Antiquaries proceeded in publishing that Anglo-Saxon work, edited by Mr. Thorpe, *Taylor* 6173-6175——Sale of the book would never have paid as a bookselling speculation, *Taylor* 6177.

Caen. Records at Caen have been sorted, and a calendar printed at the expense of the Society of Antiquaries, *Stapleton* 5181.

Cæsar's Chapel. A deposit for Records, *Cooper* 1060——Evidence concerning the danger to many of the Records deposited in the Tower from the vicinity of a powder magazine, *Hardy* 3713.

Letter from R. Byham, esq. against the removal of the magazine, *App. p.* 903.

Calendarium Hæredum. Impediments experienced by Mr. Roberts in this work from the neglected state of Records, *Rep.* ix.——Edited by Mr. C. Roberts, *Cooper* 46; *Roberts* 6954——Will supply the defect in the calendar to Inquisitiones post Mortem, *Hunter* 6270–6272; *Beltz* 6699–6700——Value of the work, *Beltz* 6723–6726——Progress made, *Roberts* 6955, 6963——Cause of delay from state of Records, and inaccuracy of arrangement in the calendars of the former Commission, *Roberts* 6968——Proposed by this work to correct a great many inaccuracies and supply deficiencies in the old calendars, *Roberts* 6974; *Hardy* 7006——Index to Inquisitiones post Mortem defective for want of column of names of heirs, *Danvers* 7179–7181.

CALENDARS:

1. *Generally.*
2. *To Works published by the Record Commission.*

1. *Generally.*

Objects of the Commissions to provide for making and printing calendars, *Rep.* v. ——Even where the Records are well arranged calendars, are wanting or are very insufficient, *Rep.* xx.——The Commission has not completed a single calendar or index to the contents of any public repository, or commenced any in most of them; names of the catalogues of private collections that it has procured, *Rep.* xxii.——Necessity for the formation of recommendations of Committees of the House of Commons to that effect; indexes printed by the late Record Commission, *Rep.* xix. xx.——Recommendation of Select Committee of 1800 for purchasing indexes which are private property, and for printing the principal calendars and indexes, *Rep.* xx.——If copies of calendars were purchased and deposited in the British Museum, as in the case of the Originalia, it would greatly facilitate the consulting them, *Hodgson* 3385——Calendars most essential to all Records of value, *Stevenson* 3817.

Funds of Commissioners could not be better applied than in calendaring Records at the Tower on Mr. Hardy's plan, *Stevenson* 3818——Inaccuracy of arrangement in the calendars of the former Commission, *Roberts* 6968, 6981——Probably printed from the old manuscript calendars without any examination of original documents, *Roberts* 6982–6985——Witness thinks that after certain steps have been taken as to arranging Records, calendaring might commence before all money was expended in arranging, *Grimaldi* 6551——Arranging, repairing and calendaring are objects which the Commission should have attended to before printing any of the Records, *Grimaldi* 6553 ——Better to have calendared and arranged documents at the Chapter House than to have printed, *Grimaldi* 6554——Many Records in the Tower in perfect order, of which calendars should be printed either simultaneously or before the Records are arranged, *Grimaldi* 6555–6559.

2. *To Works published by Record Commission.*

Defects in the index to the Close Rolls, *Hodgson* 3363——Calendars of the Inquisitions and Abbreviatio Placitorum not well done, *Stapleton* 5147——The Commission has provided indexes to the different Records in various offices which did not exist before, *Baines* 5401——In the Duchy of Lancaster Office the Records have been methodized, and calendars and catalogues been made, *Baines* 5402——Use of the catalogues to a person residing at a distance from London, *Baines* 5405–5407——The indexes to Pope Nicolas's Taxation, Nonæ Rolls, and Ecclesiastical Survey are very useful, *Boteler* 6119 —— Catalogues published by the Commission very useful, *Brayley* 6337——Are the means of economizing the time of inquirers, *Brayley* 6359, 6360——Witness frequently consulting Records which he could not make use of without the calendars and indexes which have issued under the Commission, *Grimaldi* 6500–6503——Witness has not been satisfied with the accuracy of calendars, frequently found them erroneous, *Beltz* 6719–6723.

See also *Calendarium Hæredum. Caley, Mr. Catalogues. Charter Rolls. Courts of Justice Records. Courts of Law. Indexes. Fine Rolls. French Rolls. Inquisitiones post Mortem. Printing*, 3. *Records*, 2.

Caley, Mr. Regrets that he did not suggest arrangements to the Board which would have insured the safe transport of the Records across Westminster Hall, *Rep.* xii.——

Caley, Mr.—continued.

Opinion of former Commission as to appointment of Sub-commissioners, *Cooper* 32——Engaged at Augmentation Office, Rolls Chapel, Duchy of Lancaster Office and Chapter House, *Cooper* 33——Arrangement of Records by Mr. Caley or Mr. Gay, *Cooper* 428——Nature of Calendars sold at Mr. Caley's death, his private property, *Cooper* 448——Offer of purchase, *Cooper* 1026——Nature of Mr. Cole's representations as to the value of Mr. Caley's Calendars, *Cooper* 465, 1026——Examination concerning Mr. Caley's incapability of performing his duties, *Cooper* 527–529——State of Records at Augmentation Office during Mr. Caley's life; difference between Mr. Caley's and Mr. Cole's arrangement, *Hewlett* 802, 806——Able man at Records, *Illingworth* 867——Correctness of Mr. Hewlett's description of Records being removed to Mr. Caley's house, *Illingworth* 920——His services did not entitle him to, neither had the Commission power to give him 500 *l.* per annum, *Protheroe* 1523——Impropriety of his income of 500 *l.* on retiring, *Nicolas* 3906——Circumstances under which Mr. Caley received his salary, *Cooper* 7819——Minutes of the Board relating to salary of Mr. Caley, *Cooper* 8139.

Sum paid him by the Record Commission for two years' services, *App. p.* 769——His appointment as a Sub-commissioner to superintend the sorting, arranging, repairing, binding, &c. of the Records, and offices at which performed, *App. p.* 864.

See also *Augmentation Office*, 6. *Cartæ Miscellaneæ*. *Seals*. *Tickets*.

Cancelled Sheets. See *Privy Council*.

Canterbury, Archbishop of. Letter from him to Mr. Cooper, dated 9 June 1836, respecting the constitution of the present Record Board, *App. p.* 870.

Cardinal's Bundles. Inquisitions taken of the several monasteries surrendered to Cardinal Wolsey, and the inquisitions taken after his death, now bound up with "Inquisitiones post Mortem," are designated as "Miscellaneous Records of the Rolls Chapel," *Palmer* 6248.

Carlton Ride. Records deposited in the stables of the late Carlton Ride, *Rep.* viii——The Records that were in Westminster Hall, and afterwards removed to Charing Cross, were in 1835 removed to the Carlton Riding-school, *Rep.* xiv.——Common Pleas Records deposited there, *Rep.* xix.——The Land Revenue Records are deposited in this building, *Cooper* 1809; *Fearnside* 7133.

See also *Exchequer*. *Pleas*.

Carte, Mr. His opinion, that to procure proper materials for history of England, it was necessary to consult the records and repositories of papers in foreign countries, *Cooper* 2174.

Cartæ Miscellaneæ. Inconvenient arrangement by Mr. Caley of 24 volumes, intituled "Cartæ Miscellaneæ," *Cole* 4838——The very worst arrangement has been adopted in every respect, *Cole* 4838.

Cartularies. Of Glasgow: Witness hopes soon to see this valuable Record published, *Tytler* 4578——Of Levenax: value of this document, published in Scotland, *Tytler* 4578——Of Melrose: value of this document, now publishing at the expense of the Duke of Buccleugh, *Tytler* 4274, 4275——Of Paisley: published by a private club; value of the document as compared with publications of antiquaries, *Tytler* 4274.

Cat, Skeleton of. Found among the Miscellaneous Records of the Exchequer in sorting and removing them, *Cooper* 1222; *Cole* 4590, 4591.

Catalogues. Effect which formation of good catalogues would have in opening the stores of the Record offices, *Tytler* 4267——Judging from the works the Record Commission have published, they have been led into error owing to the want of proper calendars and catalogues, *Tytler* 4285, 4286——Many series of Records which might be published, being complete, without being delayed by the catalogues necessary for others, *Nicolas* 4589; *Tytler* 4567——First efforts of Commissioners should have been devoted exclusively to the formation of *catalogues raisonnées* of historical materials existing in England, *Tytler* 4251——This should be done before any works are printed, however valuable, *Tytler* 4253——Greatest benefit the Commissioners could render the country, in an historical point of view, would be to provide better and ampler catalogues of the Records, *Parkes* 4385——Value of catalogues, and arrangement of Record offices, *Ellis* 5583——Use of catalogues, calendars and indexes to Records most used for legal purposes, *Alderson* 7674——Catalogues to Records should be first made, but after a certain progress Commissioners should commence printing, *Tytler* 4278, 4279, 4584——If there were only funds sufficient for producing a complete catalogue, witness would wish to see the funds devoted exclusively to that purpose, *Tytler* 4568——Evidence explanatory of witness's plan of *catalogues raisonnées*, *Tytler* 8185.

Similar catalogues to those published by the Record Board should be composed for all Record offices, *Lingard*, *App. Q.* 6, 7, *p.* 730; *Southey*, *App. Q.* 7, *p.* 731——Usefulness of those published by the Record Board, *Lingard*, *App. Q.* 6, 7, *p.* 730——Those of the

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MSS in the British Museum have been essentially useful to witness, *Southey, App. Q.* 6, *p.* 731.
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3. *Opinions in favour of Alteration and salaried Board.*
4. *Official Appointments, advantages and disadvantages of.*
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Cooper, Mr. Extent to which Mr. Cooper made unacknowledged use of witness in his work on Records, *Illingworth* 836–851, 859——Mr. Illingworth's papers on a general Record Office bears no resemblance whatever to witness's proposal, *Cooper* 2664——His statement with reference to the evidence given in answers to certain questions, *App.* 746–749.

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Cooper on Records. Order of the Board authorizing printing witness's book on Records, *Cooper* 112——Printed by order of the Board, *Cooper* 2631——Originally intention of witness to compile and print the work at his own expense, *Cooper* 2633.

Copy Money. Exorbitant fees charged for copies of Records, and in almost all cases far more than is required, *Rep.* xxv.——Sums paid to various persons for copying Returns to Parliamentary Reports and various papers and documents for the use of the Board, *App.* p. 772.

See also *Extracts. Rowe* v. *Brenton. Transcribers. Windsor Forest.*

CORNWALL, DUCHY OF:

1. *Generally.*
2. *Documents belonging to, found in Augmentation Office.*
3. *Public and private Documents.*
4. *Fees.*
5. *Indexes.*
6. *Searches.*
7. *Papers laid before the Committee.*

1. *Generally.*

The assistance of the Commission has not been needed in the Duchy of Cornwall: the Records are kept in a private house given to Mr. Abbot, *Rep.* xviii.——All the Calendars are private, and are not shown to the public, *Rep.* xxii.——Claim by, for certain documents in the Augmentation Office; cause of the claim not being allowed, *Rep.* xxiii.——

Cornwall, Duchy of—1. *Generally*—continued.

Evils of the mixture of the private Records of the Duke of Cornwall with the public Records of the Duchy, *Rep.* xxvii.——Returns and reports have been made to the Board from this Office, *Cooper* 257——State of Records in Duchy of Cornwall Office; assistance of Commission not wanted, *Cooper* 1836——Records in custody of Auditor, Sir G. Harrison, *Abbot* 2962*–2965*——Records kept in a dry room and in a good state, *Abbot* 2966–2770——Instance of a deed identifying the property of the Duchy of Cornwall being found somewhere in the Exchequer, among documents with which it had no connexion, *Wetherell* 6004——It would appear from the return that the contents of this Office are well arranged, namely, first in classes, and secondly in chronological order, *Cooper* 671.

2. *Documents belonging to, found in Augmentation Office.*

Records belonging to the Duchy of Cornwall at the Augmentation Office; application from Sir G. Harrison; letter from Sir H. Taylor on the subject; decision of the Board, *Cooper* 524——Further evidence as to Records of Duchy of Cornwall being found in Augmentation Office, *Cooper* 1846–1852; *Abbot* 3005–3013——Explanations relative to impropriety of removing documents from the Augmentation Office, *Cooper* 8109——Large mass of Duchy of Cornwall Records found in the Augmentation Office, *Cole* 4758–4760.——Witness's opinion as to legality of removing Records from one court to another; correspondence on transfer of documents to Duchy of Cornwall, *Cooper* 1026——Steps taken to prevent officers taking Records from offices to private residences, *Cooper* 1104——Evidence as to removal of, improperly from Augmentation Office, *Cooper* 2473.

3. *Public and private Documents.*

Office undetermined; what are public and what private documents, *Coode* 3993——Distinction which should be drawn between public and private documents, *Coode* 3997 Distinction between property of the Duchy of Cornwall and Duke of Devonshire, *Coode* 4009–4010——Nature of the documents which are not open to the public, *Abbot* 2999–3000——Ministers' accounts, *Abbot* 3017——Duchy officers cannot draw the line between public and private documents; doubts of Mr. Abbot as to ministers' accounts, *Coode* 3993; *Cole* 4753——Distinction between the property held as Duke of Cornwall and a private person, *Abbot* 3000; *Cole* 4745——No document in the Archives of the Duchy which should be withheld from the public, *Cole* 4750——Instance in the case of Rowe *v.* Brenton, in which documents relating to the private property were received in evidence *Cole* 4749——Distinction in the case of Rowe *v.* Brenton as to private or public documents, *Abbot* 3020.

4. *Fees.*

Amount of fees paid at the Duchy of Cornwall Office for copies of documents; a portion of a Record allowed to be copied; office rather not make copies than take fees, *Abbot* 2992.

5. *Indexes.*

Nature of Catalogues at the Duchy of Cornwall Office chiefly prepared for the trial of Rowe *v.* Brenton, *Abbot* 2985-2988.

6. *Searches.*

Difficulties of search at this office, *Hardy* 3631–3633——Steps necessary to be taken on searching the Records at this office, *Cole* 4742——Evidence as to search at this office for a document wanted by Mr. Coode for Mr. Trevanion, *Coode* 4035–4050; *Cole* 4742——On application for permission to search, reference made to law officers, *Abbot* 2980——Opinion of Scarlett, Tindall and Harrison on the subject of right of search of Documents and Records in the Duchy of Cornwall Office, *Abbot* 3054——Opinions of Lord Tenterden, Mr. Justice Bayley, Justice Littledale and Justice Parke on the subject of the Documents of the Duchy of Cornwall Office, *Cole* 4743.

7. *Papers laid before the Committee.*

Records relating to the Duchy of Cornwall, *App. p.* 895–902.

See also *Land Tax. Lessees. Privy Purse. Tin.*

Corporation Commission. Evidence as to Sir F. Palgrave's employment at the Tower during the time he was a Corporation Commissioner, *Hardy* 3606; *Palgrave* 5272—— Witness considered his holding the office of Corporation Commissioner as not interfering with the discharge of his other duties, *Palgrave* 4348–4350——Witness's occupation for the Board during the time he was a Corporation Commissioner, *Palgrave* 4351–4358——Sir F. Palgrave's employment as Corporation Commissioner, his duties and emoluments, *Parkes* 4391–4411.

Corporation Archives. Returns from, entrusted by Commissioners to witness, to arrange for Appendix to Report, *Hunter* 3276.

Corporation Searches. See *Municipal Searches.*

Corrections. See *King's Printer.*

Correspondence. Correspondence between King's Remembrancer and Secretary not laid before the Board, *Cooper* 130; *Protheroe* 1531. Correspondence by witness as Secretary, of

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of which copies are kept; not a hundredth part of the correspondence is brought before the notice of the Board *Cooper* 128——Evidence as to correspondence between the Treasury and the Record Commission relative to the mode of keeping the accounts, which was never laid before the Board, *Protheroe* 1531——Letter from Mr. Spearman as to mode recommended to be observed in auditing the accounts of the Commission, *Cooper* 2334.

Letters and opinions of the Commissioners on the constitution of the Board, *App. p.* 868–871.

Correspondence between C. P. Cooper, Esq. and H. W. Vincent, Esq., the King's Remembrancer, relative to the Record Board retaining possession of the Records of the Augmentation Office after Mr. Caley's death, *App. p.* 887–890.

Letter and report respecting some Records of the King's Remembrancer's Office supposed to have been stolen, *App. p.* 887.

Correspondence of Mr. Cooper, Secretary to the Record Board, with Sir George Harrison and Sir Herbert Taylor, relating to the Records of the Duchy of Cornwall, *App.* 895–902.

See also *Accounts*, 4. *Augmentation Office. Baring*, Mr. *British Museum. Constitution of Commission*, 6. *Holbrooke*, Mr. *King's Remembrancer. Lamb*, Hon. *George. Leach*, Sir *John. Libraries. Spearman*, Mr., *Treasury.*

Cottonian Catalogue. Printed by the late Record Commissions, at the recommendation of the Committee of 1800, *Rep.* xx.——Value of catalogues published by Commission to Historical Inquiries, *Ellis* 5548.

See also *Prefaces.*

County Histories. Many written by individuals of large fortune; form a class in English literature; England rich in county histories, *Tytler* 4265——Value of the works of the Record Commission in writing any county history, *Baines* 5387, 5442, 5447——*Madden* 5470——In the last 20 years considerable improvements have taken place in County histories, which is attributable to the publications of the Record Commission, *Nichols* 5848.

See also *Durham County History.*

County Rolls. Deposited at the Chapter House; arrangement of chronological and topographical, *Palgrave* 4339.

Court or Manor Rolls. A numerous class of Records in the Augmentation Office collected together by witness, and arranged alphabetically and chronologically, *Cole* 4840–4841——Officers of the Duchy of Lancaster are arranging and indexing the Court Rolls, *Danvers* 7210.

Court of Requests. Proceedings and Reports of the Court of Star Chamber deposited in the Chapter House merely tied up in bundles; impossible to use them without being flattened out and bound, *Palgrave* 4343.

Courts of Justice Rolls. Evils of their being dispersed in various repositories, *Rep.* viii.

Courts of Justice Records. The docquet books are the only calendars or indexes to the important Records in the courts of law, which are not sufficient, *Rep.* xxii.

COURTS OF LAW:

1. *Arrangement of Records.*
2. *Evidence.*
3. *Fees.*
4. *Indexes.*

1. *Arrangement of Records.*

Has never heard any complaint with respect to impediment or difficulty in finding the proceedings of the courts in modern times, *Lyndhurst*, Lord, 8204——King's Bench Records and Common Pleas Records. These consist for the most part of a series of rolls and bundles. There is no defect in the arrangement, *Cooper p.* 671.

2. *Evidence.*

Proposal to make the old publications of the Record Commission, evidence in Courts of Justice was never entertained by the Commission, *Cooper* 2639.

3. *Fees.*

Fees in the courts of common law worse than others; you copy the record yourself, and pay as if it had been copied, *Grimaldi* 6605——Fees in the Court of King's Bench and Common Pleas certainly not exorbitant, *Freshfield* 8096.

4. *Index.*

Highly important that calendars should be compiled to the Placita of the King's Bench, Common Pleas and Exchequer, *Grimaldi* 6517——Examination as to the state of indexes to Records of courts of law, *Sugden* 8000–8002.

See also *Chancery. Common Pleas. Courts of Justice. Courts of Requests. Evidence. Exchequer. King's Bench. Rolls.*

Courts of Law Ireland. Four courts of justice have the custody of the legal records, *Groves* 5109.

Cromwell, Oliver. See *Ecclesiastical Survey.*

Crown. In all Record offices, whenever the Crown requires Records, the same fees are paid as to private individuals; impropriety of this charge, *Nicolas* 4173.

Crown of Scotland. The documents inserted in the new edition of Rymer's Fœdera has removed the doubts respecting the renunciation of all right of superiority over the Scottish Crown by Edward III. in 1328, *Lingard, App. Q.* 13, *p.* 730.

Crown Causes. See *Woods and Forests.*

Crown Grants. Difficulties which would arise in any search concerning property held under Crown grants, *Hewlett* 688.

Crown Lands. Witness was enabled, by means of publications of Record Commissioners, to prove the title of the Crown to a considerable tract of land, *Grimaldi* 6506-6509.

Crown Leases. Necessity for their arrangement in the Pipe Office, *Rep.* xii.—Many Crown leases in the Pipe Office in a state of the greatest confusion, *Cole* 4776, 4777——State of Crown leases unarranged; must look through the whole when one is wanted, *Panton* 7097–7101.

Crown Office. All the Records of modern date, are, as would appear by the return of 1831, well ascertained, *Cooper* 6671.

Crown Property, Ireland. Records connected with Crown property, formerly kept in Dublin Castle, have been transferred to the Custom House, *Groves* 5110.

Crusades. Reason for noticing a work of Ansbertus, an Austrian clergyman, in Appendix (A.) as materials for history, on account of its notice of Richard I., *Cooper* 3112.

Curiæ Regis Rotuli. Edited by Sir F. Palgrave, *Cooper* 2680——Employment of witness in editing this work, *Palgrave* 4305——State of these Records as to preservation at the Chapter House, *Palgrave* 4338——Proceedings of the Curiæ Regis make perfect our knowledge of the constitution and proceedings of our court, *Benson* 4970 ——Witness entertains a high opinion of this work, *Bruce* 5926——Rolls of the Curiæ Regis are judicial proceedings, which illustrate manners as well as history, *Ellis* 5560——Of great importance, *Merivale* 6397——Must be of great importance to persons investigating constitutional questions, *Taylor* 6166——Publication of these Records of great value, *Stephen* 6777; *Allen* 7317.

Salaries of the editor and clerks employed in preparing the Rolls of the Curiæ Regis and other works for press, *App.* 769——Sum expended by the present Board in preparing this work for press, *App. p.* 778.

Custody of Records. The Commission does not vest the custody of Records in the Commissioners, *Cooper* 438——Commissioners have no power; keepers have vested interests, which the Commissioners cannot interfere with, *Nicolas* 3915 ——Custody of Records could not be lightly changed; persons who have custody of many, the same right as patent office, *Allen* 7369——Judges are legal and regular keepers of Records in their own courts, *Allen* 7376——In case of a general Record Office being built convenient, that the custody of the current Records should be with the officers of the court, *Alderson* 7645.

See also *Admiralty. Augmentation Office. Bankruptcy Court. Buildings. Chancery. Chapter House. College of Arms. Common Pleas. Cornwall, Duchy of. Courts of Law. Crown Office. Ecclesiastical Records. Edinburgh. First Fruits Office. General Record Office. House of Commons. Keepers of Records. King's Bench. King's Remembrancer. Lancaster, Duchy of. Land Revenue. Lord Treasurer's Remembrancer. Miscellaneous Records. Parliament Office. Pell Office. Petty Bag Office. Pipe Office. Prerogative Court, Records. Rolls Chapels,* 3. *Somerset House. State Paper Office, Tower.*

Custom House, Dublin. Transference to the Custom House of documents connected with the Crown property of Ireland, formerly kept in Dublin Castle, *Groves* 5110.

D.

Dahlmann. Professor Dahlmann, of Gottingen, has undertaken to edit single authors for the Monumenta Germanica Historica, *Garnier* 4075.

See *Damp. Pell Office. Pipe Rolls. Rolls Chapel. Somerset House.*

Danvers, Frederick Dawes. (Analysis of his Evidence.)—Clerk of the Council and Keeper of the Records of the Duchy of Lancaster, 7173——A large collection of Records well arranged 7174–7176——Calendars made by Record Commission to Inquisitiones post Mortem and calendars to pleadings in the Duchy Court, 7178——Defective as to names of heirs, 7179–7181——Calendars to pleadings of great utility, 7182——Quantity of calendaring executed by former and present Commission, 7188–7189——Distinction made between documents considered public, and those which are the private property of the Crown.

Danvers, Frederick Dawes. (Analysis of his Evidence)—*continued.*

Crown 7190–7203——All matters connected with the revenue department are considered private, 7195——Less fees charged to literary persons than professional searchers, 7204, 7205——No operations now carried on by the Commission at the Duchy Office, 7206——The officers of the Duchy are arranging and indexing the Court Rolls, and making a register of Royal Charters, 7210–7216——There are indexes to ministers' accounts, registers and Court Rolls, 7219.

Debts and Liabilities:

1. *Generally.*
2. *Papers laid before the Committee.*

1. *Generally.*

Amount of debts and liabilities of the old Board, *Cooper* 2395–2397, 2402——Unwillingness of Lord Althorp to pay off the debts and liabilities of the old Board, *Cooper* 2399——Representations of Lord Brougham requiring payment of the debts of the old Board, *Cooper* 2403——Evidence as to suspended works and debts of the Commission, *Allen* 7410–7414——Nature and extent of debts of Record Commission with bankers, *Cooper* 7839——Further explanation of accounts and of former days' evidence relating to debts, *Cooper* 7921——Difficulty of adopting plans for improvement during the existence of the present debt, *Cooper* 7935——Explanations relative to the debts and liabilities of the old and new Board of Commissioners, *Cooper* 2569——Observations respecting the debt contracted by the present Board owing to publications of new works, *Cooper* 8130.

2. *Papers laid before the Committee.*

Debts and liabilities of the old Commission which have been paid and satisfied by the new Board, *App. p.* 773–775——Debts of the old Board still unpaid, *App. p.* 775——Present debts and liabilities, *App. p.* 775.

See also *Accounts. Althorp,* Lord. *Brougham,* Lord. *King's Printer. Receipt and Expenditure.*

Dedication of Preface. See *Close Rolls.*

Deeds Enrolled. See *Chancery.*

Decrees of the Court of Exchequer. They were perfectly accessible when at the mews at Charing Cross, *Rep.* xiv.

Denmark. Employs the Prussian Historian Vogt to transcribe for the Brandenburgh Archives at Konigsberg, all matters relating to Denmark, *Cooper* 2244——Collection of Records made by Langebeck, and a royal Commission at Copenhagen for the publication of works which will throw any light on early history, *Madden* 5475——Witness received a letter from Copenhagen, stating that the Danish Government were willing to open the archives of Denmark to the British Record Commission, *Allen* 7429.

See also *Antiquitates Britanicæ et Hiberniæ. Scriptores Rerum Danicarum.*

Deposits for Records. See *Admiralty. Augmentation Office. Bankruptcy Court. Buildings. Chancery. Chapter House. College of Arms. Common Pleas. Cornwall, Duchy of. Courts of Law. Crown Office. Dublin Castle. Ecclesiastical Courts. Edinburgh. First Fruits Office. General Record Office. House of Commons. King's Bench. King's Remembrancer. Lancaster, Duchy of. Land Revenue. Land Treasurer's Remembrancer. Miscellaneous Records. Parliament Office. Pell Office. Petty Bag Office. Pipe Office. Prerogative Court. Records. Rolls Chapel. Somerset House. State Paper Office. Tower.*

Destruction of Records. See *Damp. Glue-makers. Records,* 4.

Destruction of Records from use of Compositions. Danger to Records from bringing out the writing by using compositions which eventually destroy the Record, *Nicolas* 4173, 4174.

Devon, Mr. Employment of Mr. Devon. Discovery by him of a Norman Pipe Roll, *Cooper* 1247–1250——Letter from him to Mr. Cooper, respecting Mr. Cole, *Cole* 4913——Testimonials as to usefulness of Mr. Gay, *Cooper* 238.

Amount paid him for transcription of the Chancellor's Roll, Select Rolls from the Chapter House and the Fine Rolls, and assistance in the editorship thereof, and for miscellaneous in 1833–1835, *App. p.* 769——Sums paid him for various transcripts, searches, extra attendances, &c.; and also for compiling index to one of the volumes of the Fœdera, *App. p.* 770.

See also *Chancellor's Roll. Extracts. Pell Office. Rotuli Selecti.*

Diaries and Journals. Original diaries and journals should form one branch of publication to which the Record Board should direct its attention, *Tytler* 4280.

D'Israeli's Curiosities of Literature. Evidence concerning this work being found in a list of books purchased for the Record Commission, *Protheroe* 2102; *Cooper* 2236.

Discovery of Documents. See *Augmentation Office. Chapter House. First Fruits Office. Valor Ecclesiasticus.*

Dispersion of Records. See *Records,* 3.

Distribution of Record Publications. Manner in which the Record volumes have been distributed to the different public libraries at home and abroad, *Cooper* 2820——Statement respecting the distribution of the different works published by the Record Commission, *Cooper* 7940——Hints prepared by Mr. Allen for regulating the distribution of works published by the Board, *Cooper* 2687——Answer received from German cities expressing their acknowledgments to the Commissioners of Record publications, *Colquhoun* 6319. The present of these works has tended to promote friendly international relations, *Colquhoun* 6329——Applications which have been made to the King's Government for publications of the Record Commission, *Colquhoun* 6334——List of cities and libraries in America to which works of the Record Commission have been forwarded, *Rich* 6340, *p.* 576.

List of the libraries and other repositories in the British Islands to which copies of the publications of the Record Board, in the whole or in great part have been presented in His Majesty's name, *App. p.* 784–787——Hints for regulating the distribution of works published by the Record Board, *App. p.* 872——Statement respecting the distribution of the works published by the Record Commission, *App. p.* 732–738.

See also *Libraries*, 1. *Library Commission Publications*, 1. *Presents. Receipt and Expenditure.*

Division of Rolls. Many of the Patent and Charter Rolls have been divided; many without either a contemporaneous or modern title, *Hardy* 3641.

See also *Ministers' Accounts.*

Docket Books. They are the only calendars of the Records of courts of justice; they are not sufficient, *Rep.* xxii——They are dry, but dusty and unfit to touch, *Rep.* xix——Docket index not made to facilitate searches, but by the party docketing the judgment, *Hewlett* 617——No index to the enrolled deeds in the Court of King's Bench but what is contained in the Docket Rolls, *Hewlett* 647——Use of Docket Rolls in searching King's Bench Records, *Hewlett* 548——Illustration of the usefulness of the Docket Rolls as guides to verdict Rolls, *Hewlett* 557——Kept in the grand jury room in Westminster Hall, a very insecure place, *Hewlett* 569——Are sufficient index to King's Bench Records, *Cooper* 1787–1789——Witness always found the Docket Rolls and Judgment Rolls of the King's Bench in a good state, *Bruce* 5932——Docket Books of King's Bench well adapted for the purpose for which wanted, *Sugden* 8003——Bad state of Common Pleas Docket Rolls, *Hewlett* 569——Alphabetical index represented, in 1800, as being absolutely necessary; money of the Commission could not be judiciously laid out on such work, *Cooper* 1823.

See also *Courts of Justice Records. Tithes.*

Docket Book. Of King Charles the First at Oxford, edited by Mr. W. H. Black, *Cooper* 46.

Doctors' Commons. See *Wills.*

Dodsworth Manuscripts. A catalogue thereof has been formed under the direction of the Board, *App. p.* 866.

Dom Bouquet. See *Bouquet.*

Doomsday Book. Index to, formed by the late Commission at the recommendation of the Committee of 1800, *Rep.* xx——Very badly bound, inner margin bound in, so that it cannot be seen, *Illingworth* 987——Evidence as to the introduction to Doomsday Book, expense, &c. *Cooper* 1869–1889——Amount received by Sir H. Ellis for his work on Doomsday Book, *Cooper* 2918——Introduction to Doomsday Book by Sir H. Ellis, a most useful production, *Kempe* 6193——Value of the publication of Doomsday Book, its index and preface, *Merewether* 8049–8053.

Cost thereof, distinguishing what was paid for printing, paper, transcription, compilation and editorship, *App. p.* 776.

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1. *Building.*

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3. *Indexes and Calendars.*

Greater care taken now than formerly; to some Records good Calendars, to others not, *Thomson* 3744*——Down to the dissolution of the late Commission funds were supplied to witness, from 1831 to the present time; the expenses of making indexes have entirely fallen upon witness, *Thomson* 3759*-3769*——Reasons against printing a large number of an index, of the nature of that forming by witness, *Thomson* 3771*——Object of printing index has been to save the trouble and errors of transcription, *Thomson* 3772*——Constant endeavour of witness to collect into the General Registry Office all Records that were existing in private hands and other repositories, *Thomson* 3836*.

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1. *English Records.*

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Ellis, Sir *H.* (Analysis of his Evidence)—Principal Librarian of the British Museum, 5540——Has found the publications of the Record Commission of the greatest assistance, 5542——Selection of publications made under the authority of the Commissions has been judicious, 5543-5544——Improvement in editing the works of the present as compared with former Commissions, 5545——General history of the country has been written with greater advantage since the publication of the Record works, 5546——Value of the catalogues, which have been of great use to modern historians, for instance, Mr. Planta's Colonial Catalogue, 5548——French Government have an agent in this country making extracts

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extracts from Records and manuscripts, 5549——Works which have issued under the authority of the Commission reflect honour upon the nation, 5551——No individual bookseller or company of booksellers would have been likely to enter into such a speculation, 5552——Pipe Rolls are extremely important both to general history and topography, and very serviceable to the genealogist, 5557.

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England, History of. Extracts from Dr. Clarke and Bishop Nicholson, proving the necessity of searching foreign libraries, with a view to elucidate many periods of English history, *Cooper* 2174——Cartes' opinion that the Records and repositories of papers in foreign countries should be searched, *Cooper* 2174.

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Equitable Jurisdiction. Evidence concerning Sir F. Palgrave's work on "Origin of Equitable Jurisdiction," *Cooper* 2644——Stated to be a re-publication of materials which were formerly published, *Protheroe* 1576, *Cooper* 2647–2649——Publication objected to by witness, such a work not appearing a fit publication for a Record Commission, *Protheroe* 1575.

Errata. Tables of errata wanting to many of the works published by the Commission, *Hunter* 6287.

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Essay on Equitable Jurisdiction See *Equitable Jurisdiction.*

Essoign Rolls. Have neither index nor calendar, *Cooper* 1081.

Estimates. Evidence as to nature of estimates, and to what extent made and laid before the Board, *Cooper* 1896——Estimates should be made and handed in of probable cost of any new work about to be undertaken, *Protheroe* 1480——No estimate of the work made; probably no estimate submitted to the Board for Sir H. Ellis's work, *Cooper* 1823——Evidence as to estimates for works printing and other expenses being laid before the Board; viz. works of former Commission, *Cooper* 7775——Of new publications no very formal estimate necessary, *Cooper* 7746–7775——But in future more expedient that such should be formed and laid before the Board, *Cooper* 7750, 7751——Statement concerning omission of calculations in estimate, *Cooper* 8108.

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Evax. Reason for the introduction of his name in the Appendix (A.) on materials for British history, *Cooper* 3089.

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If any Record Office built, documents should be transferred to general office after certain periods, taking care, by Act of Parliament, that changing the place of custody should not injure the legal evidence of the Records, *Alderson* 7644——Mode in which certain Records might be made valuable, by making them *primâ facie* evidence in the courts of law, *Alderson* 7665——There would be a considerable saving in the trial of causes from making certain Records *primâ facie* evidence, *Alderson* 7673——In case of removal of Records to a general office, care should be taken by Act of Parliament, that changing the place of custody should not injure the legal evidence of the Records, *Alderson* 7644.

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Exchequer, Law Side. The Docket Books are the only calendars of Records which are insufficient; it would be throwing money away (in the secretary's opinion) to make calendars or indexes, *Rep.* xxii.

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Expense of Publications. See *Publications*, 3.

Expenditure. Unavailing attempt of witness to procure information of the expenditure of the Commission, *Protheroe* 1331, 1333, 1345——Power of secretary over the funds of the Commission, *Protheroe* 1409-1411, 1415-1417, 1424——The Commission has a pretty accurate knowledge of its own expenditure, *Hallam* 7613——Witness's plan for classing the disbursements of the Board, being suggestions for the consideration of the Chancellor of the Exchequer, of the heads under which the expenditure of the Record Board should in future be arranged, *Cooper* 7939——From the ignorance in which the Commission is kept as to apportionment of expenditure, they cannot form a judgment upon any one branch of the duties submitted to them, *Protheroe* 1435, 1480, 1589——Statement handed in by secretary, in answer to the above, *Cooper* 8108.

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Letter from Mr. Spearman to the Commissioners of Public Records, dated 16 February 1836, enclosing Treasury Report on the Record Commission Account, *App. p.* 833–837.

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At the Tower, edited by Mr. C. Roberts, *Cooper* 46——A work of considerable utility, *Madden* 5484——Edited by Mr. Roberts, and done exceedingly well, *Madden* 5488——Are a very important publication, *Taylor* 6164——The fines are very important in questions of pedigree and genealogy, *Taylor* 6167——Opinion as to extent to which these Rolls should be printed, *Sugden* 8034.

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Time and cost estimate of calendaring Fine Rolls in the Tower, *App.* 906, 908.

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Foreign Collections. Foreign searches and transcripts have cost about 3,000 *l.*, *Cooper* 2198——Made with a view to Rymer's Fœdera, and to obtain information relative to manuscripts and documents connected with early English history, *Cooper* 3055——Statement as to Fœdera with regard to foreign collections, *Cooper* 8108——Evidence as to foreign collections; expense thereof; portions to be published as appendix, *Protheroe* 2022——Less should have been expended on foreign collections till the work of arrangement had been completed, *Protheroe* 2055——Reasons why documents from abroad should not have been collected, without first ascertaining whether they were in England, *Hardy* 3675-3677——Witness has found many valuable materials in foreign libraries which might form part of a supplement to Rymer, *Beltz* 6736——Record Commission right to avail themselves of the peace of Europe to collect materials from foreign countries, *Allen* 7428——Foreign collections have been made for the purposes of Rymer's Fœdera, and materials for history of Britain; the whole has been conducted by Mr. Cosper, who has employed different persons in various parts of Europe, *Hallam* 7622-7625.

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Foreign Governments. Papers relating to inquiries directed by foreign governments and societies, *App. p.* 918-922.

Foreign Letters at the Tower. Evidence as to witness having privately ordered letters to be copied at the Tower, *Cooper* 1134, 1854.

Foreign Letters and State Papers. No calendar to the foreign letters and state papers at the Tower, *Hardy* 3613——Witness employed editing foreign correspondence at the Tower, *Palgrave* 4305.

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Fowler v. *North.* Case in which witness wished to examine a record; expenses of fees; application of fees, *Sugden* 7995.

Foxton, Mr. Sum paid him for transcription of the Great Roll of the Pipe of the 31st Henry I., and assistance in the editorship thereof, *App. p.* 769.

France, Archives of. The Commission have obtained a catalogue of documents from the year 790 to the close of the 15th century, preserved in the Archives of France, *Rep.* xxii.

France. Eight sets of the publications of the Record Commission have been placed at the disposal of the King of the French, *App. p.* 787——Catalogue of transcripts in the archives and libraries of France, *App. p.* 883, 884.

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French Government. Constant maxim of the French Government to contribute largely to the publication of historical works, *Garnier* 4092——Sums voted by the Chamber of Deputies for making researches in all libraries in France for documents relating to the history of the country, *Garnier* 4092——French Government have a gentleman employed in this country transcribing documents relating to France, *Madden* 5472; *Ellis* 5549.

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1. *Generally.*
2. *Expenditure.*
3. *Printing.*
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Miscellaneous works sent to press by the French Record Commission during 1835, *Cooper* 2244——Centres in the Minister of Public Instruction; he appoints the Commission, *Wright* 6905——Objects of the Commission, 8253 ——Instituted 1834; object is to print every document hitherto unedited relating to history of France, *Wright* 6911 ——Works published or in preparation, *Wright* 6912–6914——Annual report made to the Chambers and the King, *Wright* 6937.

2. *Expenditure.*

One hundred and twenty thousand francs per annum allowed to the Commission, *Wright* 6906——Expenditure has hitherto been in editing and preparing manuscripts and transcripts, *Wright* 6915——Manner in which editors are paid is for editing and transcribing, *Wright* 6918——120,000 francs will produce greater results in France; printing and publishing are cheaper than in England, *Wright* 6926, 6927.

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Reports of French Record Commission, *App. p.* 922–937.

French Rolls. Have two calendars, both defective, *Cooper* 1081——Expense of making calendars to these rolls 1,213 *l.*, *Hardy* 3619.

Time and cost estimate of calendaring the French rolls in the Tower, *App. p.* 906, 909.

Freshfield, J. William, jun. (Analysis of his Evidence.)—Solicitor to the Bank of England, 8075——Is acquainted with the Records in the Six Clerks' Office, 8077——Registers' Office, 8078 ——Examiner's Office, 8079——Report Office, 8080——These offices contain the most important Records belonging to the Court of Chancery, 8081——Arrangement convenient and access easy, 8082——Never found any difficulty in making searches, or obtaining copies of documents, 8083——Fees generally moderate, 8084——With reference to property generally the Records the most important in the kingdom, 8085–8089 ——Never experienced any difficulty in procuring copies of papers from the Exchequer Court, 8092——Fees are moderate as regards ancient documents, 8094——Fees taken for copies of proceedings in suits actually in progress are excessive for that purpose, 8094 ——Fees in the Court of King's Bench and Pleas certainly not exorbitant; not any difficulty in finding the Records, 8096——Of opinion that practically there is sufficient easy access to all Chancery documents, 8097——A great disadvantage that orders and decrees now do not contain recitals of the proceedings in the cause; course necessary in discovering proceedings in a charity suit, 8097.

Froissart's Chronicle. Reason for introducing a notice of this work in Appendix to Rymer's Fœdera, *Cooper* 2230——Witness not aware that a new edition of Froissart was to be printed by the Commissioners, *Petrie* 3442.

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Gage, John. (Analysis of his Evidence.)—Director of the Society of Antiquaries, 4984——Publications in which witness has been engaged, 4985——Had frequently to make use of the publications of the Record Commission, 4986——Has found them of the greatest utility, 4987——Selections and publications have been judiciously made, 4990——Publications of Commission have been eminently useful for the purposes of local and general history, and for archaiology, biography and genealogy, 4991——Works of the present Commission generally more valuable than those published by the former, 4992——Value of Pipe Rolls, Patent Rolls and Close Rolls, 4993——No private publisher could have repaid himself, but would have suffered a great loss, 4994, 4995——Extent to which witness considers the published works of the Commission connected with the history of England, 4997——Witness considers present Commission works well; would be extremely sorry to see paid Commissioners; would lead to disgraceful jobs, 5001.

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Preservation of Records at the Tower, 5006——Preservation of Records at the Rolls, 5007——Gentlemen connected with literature should have the same facilities as to fees at the Rolls as at other offices, 5009——Situation of the Pipe Office bad; the only office where witness has had to pay fees, 5014——Examination as to Lord Treasurer's Office, 5017——Commission has worked well; its published works have done it credit, 5036, 5049, 5050, 5055, 5074——Satisfactory arrangement of Records at the Tower, 5038——At the Chapter House, 5039, 5065——Rolls Chapel, 5042, 5065——Want of indexes and catalogues for the use of the public at the Rolls, 5044——Arrangement at the Augmentation Office, 5051——Witness has found every facility at the Tower and the Chapter House, 5063——Arrangement and publication of Records should go on at the same time, 5075, 5076——Witness would be sorry to see the publication of Records suspended till the Records are all arranged, 5077.

Gallia Historica. Published by a French monk at Caen; plan of the work considered preferable to Dom Bouquet's, *Garnier* 4083——Book brought to light in consequence of the searches of Mr. Guizot, *Garnier* 4083.

Gall, St. In the library of this monastery may be found many MSS written by Irish monks, containing glosses and other pieces in the Irish language, *Cooper* 2199; *App. p.* 884.

Garnier, H. J. (Analysis of his Evidence.)—Professor at the Latin College of Fribourg, 4059——Three classes of archives in Germany, 4061——Custom of Germany to destroy legal Records after the lapse of 100 years, 4062——In a state of great disorder till the beginning of the present century, 4065——Governments of Germany do not edit Records, 4066——Publication of Records has taken place under a society established 1818, under the presidency of the Prussian minister, Von Stein, 4068——Commenced by publishing a periodical, 4068——Monumenta Germanica Historica appeared 1828, 4068——Edited by G. H. Pertz, Royal Librarian, Hanover, 4068——Nature of the collection, plan of work, 4069-4072——Funds of the society, 4073——Work executed to the satisfaction of learned men in Germany, 4075——Comparison of plans of Muratori and Dom Bouquet, 4077, 4079, 4083——Scriptores Rerum Danicarum, an improvement upon the execution of Muratori's plan, 4079——Plan of Gallia Historica, 4083——Assistance given by royal printing office in France to authors, 4084——Assistance of French Government before and since the Revolution as to publication of historical works, 4092——Steps taken by M. Guizot to search libraries in France and abroad for Records relating to French history, 4092——Sum voted by the Chamber of Deputies for making researches in all libraries in France for documents, 4092——Opinion that Appendix (A.), being a catalogue of all documents relating to the British Isles in libraries in Germany, is defective; notices it contains inaccurate; instances of errors, 4093-4114.

Garter, Order of. Use of the work in assisting a witness in collecting materials for a new history of the order of the Garter, *Beltz* 6716.

Gascon Rolls. Have only an exceedingly defective calendar, *Cooper* 1081.

Gay, Mr. *C.* Works on which he has been employed, *Cooper* 66——Now performs the duty of Mr. Cole to a certain extent, *Cooper* 210——Explanations respecting Mr. Gay; testimonials of Mr. Devon, *Cooper* 238——Arrangement of Records by Mr. Caley or Mr. Gay, *Cooper* 428——Difficulty of reference; competence of Mr. Gay, *Hewlett* 770-799——Great use of Mr. Gay, *Hewlett* 814-819——But not calculated to superintend the methodical arrangement of Records, *Hewlett* 817-822——Character of Mr. Gay; an excellent workman, not fit to methodize; *Illingworth* 981-985, 987——Character of Mr. Gay, a good workman, but not fit for a Record-keeper, *Protheroe* 1367——Employment of Mr. Gay by Mr. Caley; certainly not competent, without superintendence, to carry on the plan of arrangement in the Augmentation Office commenced by witness, *Cole* 4734.

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1. *Opinions in favour.*
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1. *Opinions in favour.*

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General Record Office:—1. *Opinions in favour*—continued.

Rolls Estate, *Illingworth* 845——Should all be kept in one building, which could not be effected without an Act of Parliament, *Illingworth* 878, 879——Wrong impression that witness's proposition for building a Record Office was founded on Mr. Illingworth's plan, *Cooper* 2663, 2664——Building which should be erected, *Protheroe* 1482——Value of a general repository for Records, if there were catalogues raisonneés, and rooms for study and transcription, *Tytler* 4292——Evidence as to expediency of a new Record Office; the first work to be performed should be arranging and binding the Records; any money laid out in building before that process, would not be laid out to so much advantage as if expended afterwards, *Palgrave* 4386.

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3. *Papers laid before the Committee.*

Statement on the subject of a General Record Office, *App. p.* 739–742——Proposal made by the Commissioners for the erection of a General Record Office, *App. p.* 863.

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General Report. Witness's work on Records; order for printing by the Board; intention for some time to print at witness's expense; reasons for not, *Cooper* 2631——Being prepared by Mr. Hunter, *Protheroe* 2116——Witness is preparing the General Report, *Hunter* 3262–3270——Employment of witness on the General Report in place of Mr. Webster, *Hardy* 3656–3658——Object of witness in giving a notice in the Agenda as to the General Report, *Protheroe* 2109——Is being printed without first being submitted to the Commissioners, *Protheroe* 2118——Evidence as to its being produced before the Board, *Protheroe* 2126——Evidence concerning the printing of the General Report; impropriety of such a work proceeding without the knowledge of the Commission, *Protheroe* 2109, 2118, 2138–2143——Mr. Cole's Appendix; alteration made without his knowledge, *Protheroe* 2123——Witness informed by secretary that he should strenuously resist the production to the Commissioners of the general reports, *Protheroe* 2085——Further evidence respecting the reports drawn up by witness, the obliteration of the word Sub-commissioner, which title had been sanctioned by Mr. Cooper, *Cole* 4735, 4736.

Germany, Archives of. The Commission have obtained a list of MSS. and documents connected with British history and literature in the libraries and archives of Germany, *Rep.* xxii.——Three classes of archives in Germany, *Garnier* 4061——Central archives, town archives, and courts of law archives, *Garnier* 4061–4063——Chronicles publishing in Germany by Mr. Pertz, *Madden* 5475.

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Glanville. New edition of this work would be valuable, *Wetherell* 5988; *Stephen* 6768 ——Reasons why it would be desirable to reprint such ancient law books, *Wetherell* 7043 ——A wild speculation to attempt a republication of, by any bookseller, *Sweet* 6060—— Publication more valuable to historians and antiquaries than lawyers, *Vice Chancellor* 6659——Honourable to the country, *Sugden* 8010.

Glue-makers. Evidence as to large quantities of Records having been purloined by labourers, who were employed in moving Records at Westminster hall, and sold to glue-makers, *Cole* 4435.

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Government. When Record Offices are searched for Government, fees are paid as for individuals, *Illingworth* 916.

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Grants by Parliament. Manner in which witness received the first cash voted for the Commission, *Cooper* 2262——Error respecting the financial arrangements of the Commission in allowing the secretary to receive the Parliamentary grant, *Nicolas* 3906——Mode in which grant for Record Commission might best be paid into the Bank of England, *Cooper* 7780——Evidence relative to Parliamentary grants being received by secretary, *Cooper* 8110—— Some portion of the public monies might be devoted to the publication of Records, *Lingard, App. Q.* 4 *p.* 730. *Southey, App. Q.* 4, *p.* 731.

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Granville, Cardinal de. French Record Commission making selections from the private papers of, for publication, *Wright* 8268.

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Grey, Lord. Correspondence with ministers; interview with Lord Grey on the subject of appointing Sir F. Palgrave Keeper of Chapter House Records, *Cooper* 1474——Letter from secretary of Lord Grey to Mr. Vincent, concerning interference of Record Commission, with Records of Augmentation Office, *Vincent* 1687.

Grimaldi, Stacey. (Analysis of his Evidence.)—Directed his attention to the state of the Public Records, 6494——Has made extensive use of Commissioners' publications, 6496 ——In writing a work entitled Origines Genealogicæ, 6496——Publications of the Commission of great use in making genealogical, topographical, legal and historical researches, 6498——Works of the Commission which are most useful, 6499——Witness frequently consulting Records, which he could not make use of without the calendars and indexes which have issued under the Commission, 6500, 6501–6503——In the capacity of Record solicitor to the Woods and Forests, witness was enabled by means of Record Commission's works to prove the Crown's title to a tract of land, 6506–6509 ——No doubt whatever that the ends of justice have been furthered by these publications, 6511—— The works could never have been published as a matter of commercial speculation, 6512.

The expense of publication ought to be borne by the nation, 6513——Witness would rather the money voted by Parliament was used in making calendars and indexes before printing, 6515, 6516——Highly important that calendars should be compiled to the later Placita of the King's Bench, Common Pleas and Exchequer, 6517——Incorrectness of the present printed Year Books, but at present more important works for the Record Commission to attend to, 6519–6521——Works executed under former Commission in many instances indifferently performed; works executed under the present, with few exceptions, well performed, 6524——On comparing Patent and Close Rolls as published with the MSS, not found the variation of a letter, 6525——Both works admirably performed, 6526——Great assistance given in searching at the Tower, Chapter House and Augmentation Office, 6529.

At the Rolls the conduct of those in charge amounts to denial of justice, 6529—— From the amount of fees demanded, the shortness of time allowed to consult documents, and want of the public right to inspect calendars, 6532-6536——On making a personal search for a private purpose, no fee demanded, 6537——Witness thinks that after certain steps have been taken as to arrangement, calendaring might commence before all monies were expended for arrangement, 6551——Arrangement, repairing and calendaring are objects which the Commission should have attended to before printing any of the Records, 6553——Better to have calendared and arranged Records at the Chapter House than to have printed documents from it, 6554——Many Records in the Tower in perfect order, of which calendars should be printed, either simultaneously or before other Records are arranged, 6555–6559——Rolls well arranged, 6560——Miscellaneous documents ill arranged, 6560——Privy seal, Signet bills, writs and summonses are nearly inaccessible, 6561.

Some public calendars, which do not give the information wanted; there is no index of places, 6565——Fees charged for searching private indexes, 6566——Rolls are not ill arranged; are admirably arranged; miscellaneous documents not arranged at all, 6567 ——Rolls are infinitely greater in number than the miscellaneous Records, 6570——

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Bad state of the Exchequer Records kept at the Carlton Ride; miscellaneous Records wholly unarranged, kept in sacks, 6596–6599——The other Exchequer Records are well arranged, 6601–6611——Fees in the Court of Common Law worse than others; you copy the Record yourself, and pay as if it had been copied, 6605——Further evidence concerning fees at the Chapter House, 6606–6610——Witness considers the work on Parliamentary Writs the most useless work the Commission has published, 6615——Examination as to authority of Commission to expend money on foreign missions for transcripts of Saxon works, or in purchasing books, 6619–6624——Evidence concerning the sale of Record works as waste paper, 6625——Witness did not mean to imply that the Parliamentary Writs might not be useful to the general student in historical literature or constitutional history, 6629——Works of Commission should be open to the general student and historian, 6630.

Groves, Rev. *Edward.* (Analysis of his Evidence.)—Sub-commissioner of public Records in Ireland, 5107——Since been engaged in searching among Records in Ireland, 5107——Dublin Castle contains the Parliamentary Records and State Papers; the four courts of justice have the legal Records, 5109——Records relating to ecclesiastical affairs and the registry of deeds are deposited at the King's Inns, 5110——Records connected with Crown property, formerly kept in Dublin Castle, have been transferred to the Custom House, 5110——Improved arrangement, owing to the labours of the Commission, 5112——Calendars insufficient; great defect is the want of proper calendars, 5113——Records to which calendars have been made, 5113——Great object of the Commission to supply these defects, 5114.

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Guizot, Mr. Steps taken by him in searching for Records connected with France, *Cooper* 2244——Steps taken by Mr. Guizot to search libraries in France and abroad for documents relating to French History, *Garnier* 4092.

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Gunthorpe, George. (Analysis of his Evidence.)—In the First Fruits Office, 7220——Nature of the Records in this department, 7226——Surveys of ecclesiastical benefices; Rolls of Pleas and Proceedings in the Court of Exchequer; certificates of ecclesiastical livings not exceeding 50*l.* annual value; and Bishops certificates of institutions, patronages, &c., 7226——No difficulty in finding Records that are arranged in the office, 7228——Building convenient, room for many years, 7229–7231——Nature of the Valor Ecclesiasticus, 7237–7245——Evidence as to portions of the Valor supposed to be found in the Augmentation Office, 7245——The printed Valor is in many instances inaccurate, 7249——Records deposited in the First Fruits Office, parts of which do not belong to that office, 7253–7257——Not received any assistance from the Record Commission in arrangement, 7259——There are excellent calendars and indexes, 7260–7263.

Gurney, Hudson. (Analysis of his Evidence.)—Vice-president of the Society of Antiquaries, 5078——Acquainted generally with the works of the Record Commission, 5081——Publications of the first necessity as books of reference, 5082——Many of them of the greatest utility to any one engaged in researches into the constitutional history of England, 5083——The Parliamentary Writs contain an immense mine of historical information, 5085——Alphabetical digest that accompanies Sir F. Palgrave's work of the greatest possible convenience, 5088——Original constitution of the Record Board the best that could be taken, viz., men of high official station as Commissioners, and men of eminence employed as Sub-commissioners, paid by salary and labour, 5089——Sums received by persons devoted to Records less than those received by persons flourishing in any profession, 5094——Work on Parliamentary Writs ought to be carried on to the present time, 5097——Inconveniences which would follow from a paid Board as contrasted with present Board, 5099, 5100–5105——A Board of paid Commissioners interfering with every thing would be the worst arrangement for the public service, 5106.

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(Second Examination)—Society of Antiquaries has no fund for publishing Records, 5213——Does not profess to publish Records, has no funds for the purpose, 5214, 5215——Utterly impossible for any individual bookseller to publish any series of Records such as would be published by the Government of a country, 5218——Knowledge of English History has been extremely advanced by what has been done by Commissioners, which could not have been done by any individuals whatever, 5222, 5224——Evidence as to value or probability of such works as Van Raumer's Letters being published and sold as extracts from Records, 5220–5225——Publication of last volumes of State Paper Office relating to Ireland, though valuable, has had but a very limited sale, 5227——Class of literature laid open by the Commission not likely to answer as a mercantile speculation to any body of publishers, 5228——No other mode of making Records generally accessible than by putting them in print, 5232——The work of arrangement and publication should both be gradually proceeded with, 5233.

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Hallam, Henry. (Analysis of his Evidence.)—Extent to which witness availed himself of works of the Record Commission in his historical works, 7578, 7585–7603——Parliamentary Writs contain a vast many details and specific information as to the state of the country in those periods to which they relate, 7579——No bookseller in the present day would undertake a work of the nature of a Record publication, 7581——Expenditure of public money on such works if expedient, 7582——Great use of the Harleian, Cottonian and Lansdowne Catalogues, 7594——Witness as a Commissioner has not entirely known what works were going to make their appearance under the sanction of the Board, 7611——The general management of the Board has rested with the secretary and some Commissioners with whom he has had communications, 7611——Practically the affairs of the Board have fallen very much into the hands of the secretary, 7612——The Commission has a pretty accurate knowledge of its own expenditure, 7613——Foreign collections have been made for the purposes of Rymer's Fœdera and as materials for the History of Britain, 7619——The whole has been conducted by Mr. Cooper, who has employed different persons in various parts of Europe, 7622–7625——Witness aware the Commission possesses a library which has cost several hundred pounds, and is kept in Boswell Court, 7630–7634——To whom the publication of the materials for the History of Great Britain would be a great convenience, 7637——Publication of Records must be desirable to many classes of persons, 7638.

Hallam, Mr. His work on Constitutional History did little more than pay its expenses, *Nicolas* 3968——Opinion of Mr. Hallam in an extract from a printed letter of the unfairness of crediting *ex-parte* statements, *Cole* 4924——Letter from him to Mr. Cooper, dated 6 June 1836, on the constitution of the present Record Board, *App. p.* 868, 869.

See also *Augmentation Office,* 6.

Hallam and Petit, Messrs. Their Report on the work carrying on at the Augmentation Office and Record Office in the Tower, under the authority of the Record Board, dated 19 February 1835, *App. p.* 873, 874.

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Private indexes belonging to Mr. Caley were sold by public auction, *App. p.* 867——There are private indexes attached to several of the Record Offices, *App. p.* 866.

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Letter from the Right hon. Sir John Leach, Master of the Rolls, to Mr. Cooper, relative to the purchase for public use of the private indexes at the Rolls Chapel, *App. p.* 872.

General want of indexes in the public offices, *Lingard, App. Q. 5, p.* 730.

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Indexes, Ireland. Calendars insufficient; a great defect is the want of proper calendars, *Groves* 5113; *Fleming* 8243——Records to which calendars have been made, *Groves* 5113——Great object of the Commission to supply the defect, *Groves* 5114——Calendar made to grants under Act of Settlement printed by Commissioners, *Groves* 5113——Indexes in the Rolls Office private, *Fleming* 8244——No species of index to the Rolls in Chancery before the time of Cromwell, *Fleming* 8250.

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Inquisitiones Nonarum. Those that had been arranged were again thrown into confusion by the removal to the temporary building in Westminster Hall, *Rep.* xiii.

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Inquisitionem ad Capellum Domini Regis retornatarum Abbreviatio. First Record witness was engaged on, was the Returns of Services, which was abridged and printed, *Thomson* 3812*-3814.*

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Ireland. List of works published by the Irish Record Commission, *App.* 910——Present state of the works undertaken to be published, *App. p.* 910, 911——Comparative view of fees in some of the Record Offices in Dublin, *App. p.* 911——Fees for re-attestation in some of the Record Offices in Dublin, *App. p.* 911.

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Irish Manuscripts. Copies of those discovered at various monasteries abroad, at once silence all objections against the high pretensions of the Irish nation to a superiority in literature in the 7th to 10th centuries, *Cooper* 2199——Memorial presented to the Chancellor of the Exchequer by the Royal Irish Academy, *Cooper* 8151.

Irish Monks. Collection of fac-similes of their writing; reasons for introducing them in Appendix (A.) as a material for history, *Cooper* 3113–3120.

Irish Records. Unsatisfactory state of; minute inquiry not gone into, *Rep.* xxxvi.

Italy. Catalogues of transcripts of documents relating to England, *App. p.* 884.

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Johnston, Right Hon. Sir *A.* (Analysis of his Evidence.)—Chief Justice and President of His Majesty's Council in Ceylon, 5934——Anxiety of witness in 1808 that all natives of India should be admitted to the rights and privileges of Englishmen, 5935——Return to England for the purpose of searching Records on that subject; difficulty of getting at them; expense of copying, in consequence of never having been printed, 5935——Papers since been published by Mr. Chalmers, 5940——Most important that documents of this nature should be published by Government, for the advantage of Government and the people of the country, 5940——Member of the Privy Council since the establishment of the Judicial Committee; one of the judges summoned to attend appeals from East Indies, 5959—— Witness always considered that the administration of justice could not be complete without an appellate jurisdiction; always wished to see one established; with that view has made himself master of the Privy Council proceedings, 5960——Publication of history and proceedings of the Privy Council should take place without delay; important to the colonies that such information should be brought within their reach, 5960.

Course of witness's legal inquiries, which has led him to attend to the importance of publications of Records of this and other countries, 5961——Opinion of witness as to the necessity of publishing the documents relating to the landed tenures in India, which give a clear insight into the rights of property that existed in the country 800 or 900 years ago, 5963——Every document of that sort ought to be published, as a duty owed by Government to the country, 5963——At present the necessity of such publication greater than ever, 5964——There should be perfect indexes to the Records, and an analysis of their contents, 5967——Commission ought to have indexes made; but should go on printing such works as are generally known to be of public importance, 5970, 5975–5977 —— Value of a new edition of Rymer's Fœdera, of the Coutume de la Normandie, 5970 ——of Glanville, 5970——Errors in the original edition of Rymer, some of which have been corrected, 5972——Materials which exist in the libraries of Gottingen and Leipsic, 5972——If both processes of printing and indexing cannot go on at the same time, certainly publish the index and analysis first, 5978——But neither should be discontinued, 5979, 5980.

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Judgment Rolls. Want of index to Judgment Rolls in the King's Bench exemplified in a fishery cause, *Hewlett* 554.

Junius. Reason for reference to his works in the Appendix (A.) on materials for British History, *Cooper* 3093.

Juries. Records containing decisions of Juries, from the reign of Henry VI., called Judgment or Verdict Rolls, are kept at the Rolls House, *Hewlett* 546.

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Keepers of Records. Keepers of smaller offices for modern Records have, at their option, either furnished or not, returns to the Commissioners, *Rep.* viii——Impediments that keepers have the power of throwing in the way of the Commission, *Rep.* xxv—— Commissioners have no effective power to interfere in Record Offices against the keepers of the different Record Offices, *Cooper* 387——Proper course to be pursued if Record keepers refused to allow copies for the Commission, *Protheroe* 1308——Not aware that obstacles were thrown in the way of the Commission; wrong plan pursued by secretary, *Protheroe* 1307–1309——Should not be allowed to be agents, *Illingworth* 913; *Nicolas* 3873–3883; *Dunsany*, Lord, 8107; *Fleming* 8248——Obstacles which witness has experienced from keepers acting as agents, *Fleming* 8248——Series of questions addressed to the keepers of repositories of public Records, relative to the contents of such repositories, the state of the buildings, arrangement and condition of Records, calendars and indexes thereto, &c., *App. p.* 859, 860. 885.

See also *Agents. Custody of Records. Palgrave*, Sir *F. Petrie*, Mr. *Rolls.*

Kempe, Alfred John. (Analysis of his Evidence.)—Author of several works connected with antiquities; Fellow of the Society of Antiquaries, 6184——List of Record publications which witness has had occasion to consult, 6186——Are of the highest importance and value to writers of history, whether general, local or particular, 6187——In genealogical

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searches some of them must be of great service, 6187——No one can possess a deeply grounded knowledge of the legal forms, constitution and customs of the realm, who has not had recourse to them, 6187——A due share of the public money cannot be better expended than in preserving and rendering accessible the ancient documents of the country, 6188——Works published by the Commission are by no means such as could have realized a profit as indemnified the bookselling trade for their expenses, 6190——Without the encouragement of Government and aid of the public purse, the work could not have been undertaken, 6191.

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Ker, Mr. *H. B.* Letter from him to Mr. Cooper, dated 3 June 1836, respecting the constitution of the Record Board, *App. p.* 868.

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2. *Indexes.*
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1. *Generally.*

The Docket Books are the only calendars of the Records, which are not sufficient, *Rep.* xxii.——Transfer of from the Rolls Court at Westminster to the Rolls House, Chancery-lane, under the sanction of the Commission; Lord Kenyon's opinion against the removal, *Rep.* xviii.——Nature of the course pursued by the present Commissioners as to the Records, *Cooper* 253——In whom is vested the custody of the Records, *Cooper* 1771——King's Bench Records, former and present repository, are in a good state and well arranged, *Cooper* 1771–1774——Records of the highest importance in legal inquiries, *Hewlett* 547——State of Records belonging to, at the Chapter House, *Palgrave* 4338——Arrangment of Records convenient; access easy; never found any difficulty in making searches; fees not unreasonable, *Leake* 6125–6137, 6139——Never met with any difficulty; great facility afforded by the officer of the court, *Leake* 6142.

2. *Indexes.*

Uselessness of indexes to the older Records of the King's Bench, *Cooper* 1786——Have no index; must be searched by means of the Docket Rolls, *Grimaldi* 6592–6595.

3. *Papers laid before the Committee.*

Period when they were removed to the Rolls Chapel, *App. p.* 862.

See also *Courts of Law. Docket Rolls. Judgment Rolls. Verdict Rolls.*

King's Inn, Ireland. Records relating to ecclesiastical affairs and the registry of deeds are deposited at the King's Inn, *Groves* 5110.

King's Mews. A place of deposit for the Records of the land revenue department, *Cooper* 1808——Exchequer Records also deposited in this building, *Cooper* 1811——Recommendation that the Records deposited there should be removed, *App. p.* 861.

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King's Printer. Former mode of arranging payments on account of the Commission through this medium, *Cooper* 2287——Money borrowed from the King's printer, *Rep.*xxxii. *Cooper* 2339——Amount of money received by the King's printer on account of the Record Commission, 1800–1830, 113,000*l*, *Macdonald* 6402——Expenses of printing and paper of various publications, *Macdonald* 6403–6422——Evidence as to expense of corrections, *Macdonald* 6424–6452——Explanations as to payments, *Macdonald* 6460–6468——Tenders are obtained by the present Commission from several printers; a Committee appointed; they found the King's printer's charge was lower than any they could obtain elsewhere, *Macdonald* 6470–6473——Course of examination pursued as to accounts, *Macdonald* 6477——Prices the same as before Stationery Office examined accounts, *Macdonald* 6493.

Printing for Commission more compact than formerly, consequently less expensive, *Macdonald* 6481——Statement handed in of account of corrections in the various works printed by the King's printer for the Record Commission, *Macdonald* 7170–7172——Explanations relative to debt of Record Commission, *Cooper* 8114——

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Evidence ready concerning King's printer's charges; present charges approved of by Commission, and lower than printers' in general, *Cooper* 8150——Result of inquiry as to expediency of printing with the king's printer, *Cooper* 7710–7713.

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King's Printers in Scotland. Bills paid to the King's printers in Scotland, 1826–1828, *App. p.* 750.

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2. *Arrangement.*
3. *Fees*
4. *Removal.*
5. *State of Records.*
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1. *Generally.*

Evils of the confusion in respect to custody which prevails in this office; 33 persons have access to the Records whenever they please, *Rep.* xxvi.——Offices which fell into witness's hands on the passing of the Act regulating the Exchequer, *Vincent* 1673——Evidence concerning the publication of a pamphlet by Mr. Cole on the subject of the transference of the Records to King's Remembrancer, *Protheroe* 2104–2108——The present Commission has exercised its duty as to this deposit for Records, *Cooper* 251——Mr. Vincent may now be considered as keeper of the Augmentation Office, *Cooper* 410——Explanation of correspondence, *Cooper* 521——Disputes between Mr. Cooper and Mr. Vincent, *Cole* 4597——Explanation as to measures taken by Commissioners, *Cooper* 527, 1151–1163, 1167, 1208——Custody of the Records; orders made by the Barons of the Exchequer with regard to these Records, *Cole* 4440——Statement respecting documents discovered in the King's Remembrancer Office since the publication of the several works in which they should have been inserted, *Cole* 7911——Paper intituled "Charge of that kind of Imperfection which is to be remedied by more extended search in the various Offices against the Publications of the Board, examined," *Cooper* 6108.

2. *Arrangement.*

Not witness's duty as keeper to undertake the work of arranging Records, *Vincent* 1707, 1708——Witness never threw any obstacle in the way of Commissioners arranging Records; always considered it the business of the Commissioners, *Vincent* 1710, 1711——The long series of Records are arranged; much attention has been paid by the Commission to the arrangement of the miscellaneous Records of this office, *Cooper p.* 672——Records do not admit of a chronological arrangement; there should be no attempt to arrange such manuscripts as the Red Book, Book of Statutes, or Chartularies in a chronological order, *Hunter* 3291–3344.

3. *Fees.*

Table of fees demanded by the first and second secondaries, and the sworn and side clerks, for searches, *Cooper* 216——No alteration made in the fees, *Cooper* 1232——Number of persons who have legal access to the Exchequer Records, *Vincent* 1721.

4. *Removal.*

Evil consequences to Records from careless removal to Westminster Hall, thence to King's Mews, *Illingworth* 933; *Cooper* 1202; *Cole* 4429——Thefts which took place in removal, *Cooper* 1225; *Cole* 4452.

5. *State of Records.*

Disgraceful state of Records, *Cooper* 1222; *Cole* 4429——State of Records, *Cooper* 1188; *Cole* 4429——Good state of a large portion of the Records of this office, *Vincent* 1715——Clerks employed in arranging, *Vincent* 1725.

6. *Papers laid before the Committee.*

Expenses of sorting, cleaning, arranging, repairing and binding the Records at this office, *App. p.* 771——State of those belonging to this office when removed from Westminster Hall, *App. p.* 862——Steps taken by the Board to preserve them, and progress made therein, *App. p.* 865——Letter from Mr. Vincent to the secretary of the Record Commission, dated 29th April 1834, respecting some Records supposed to have been stolen therefrom, *App p.* 886——Report of Messrs. Davis and Adlington, dated 29th April 1834, on the same subject, *App. p.* 886.

See also *Adlington*, Mr. *Augmentation Office. Cole*, Mr. *Miscellaneous Records*, 1. *Records, Removal of. Selection of Records. Vanderzee*, Mr. *Vincent*, Mr. *Westminster Hall.*

Kipling, Mr. Liberality of Mr. Kipling to literary gentlemen at the Rolls Office, *Illingworth* 912——A very valuable index of the Records deposited in the Rolls Chapel, bequeathed by him to the clerks in that office; sum demanded for it, *App.* 866, 867.
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Knight, Mr. Has undertaken to publish, on his own risk, documents relative to the suppression of monasteries, among which is Henry the Eighth's scheme for the creation of bishoprics, *Cole* 4918–4922.

Labels. Sum paid the King's printers for Labels for presses at the Chapter House, &c., *App. p.* 771.
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Lamb, Hon. *G*. His answer to witness's statement of abuses in the Record Commission, *Nicolas* 3884, 3906.

Lambeth Palace. See *Ecclesiastical Survey*.

Lancaster, Duchy of:
1. *Generally*.
2. *Fees*.
3. *Indexes*.
4. *Public and Private Documents*.

1. *Generally*.

Records of are deposited in a building partly used as a dwelling-house, and exposed to accidents by fire; repairing and binding has been discontinued; further arrangement going on under the management of the Duchy, *Rep.* xvii.——All the work of calendaring and indexing has been at the Duchy of Lancaster, without the aid of the Commission, *Rep.* xxi.——In the custody of Mr. Danvers, *Cooper* 390——No person now employed, *Cooper* 392——Inconvenience of the office; its liability to fire, *Cooper* 398——The present Commission has taken notice of this office, *Cooper* 246—— Mr. Danvers has the custody of the Records, *Cooper* 390; *Danvers* 7173——No operations now carried on by the Record Commission at the Duchy Office, *Danvers* 7206——The return of Mr. Danvers, 7th of April 1832, shows an extensive acquaintance with the contents of this office, and a distribution of the Records into classes; but he states that in making arrangement for their final deposit, a considerable portion will require to be re-assorted, and their relative positions to be materially changed, *Cooper, p.* 671——In prosecuting his work witness has found the works of the Record Commission of essential service in facilitating historical investigations, *Baines* 5387——Advantages witness has experienced from the publications of the Duchy of Lancaster Office, *Baines* 5391.

2. *Fees*.

Less fees charged to literary persons than to professional searchers, *Danvers* 7204, 7205.

3. *Indexes*.

A large collection of Records, well arranged, *Danvers* 7174–7176——Officers of the Duchy are arranging and indexing the Court Rolls, and making a Register of Royal Charters, *Danvers* 7210–7216——There are Indexes to Registers, Ministers' Accounts and Court Rolls, *Danvers* 7219——In this office the Records have been methodized, and calendars and catalogues have been made, *Baines* 5402——Calendars made by Record Commission to Inquisitiones post Mortem, and Calendars to Pleadings in the Duchy Court, *Danvers* 7178——Calendars to Pleadings of great utility, *Danvers* 7182——Quantity of calendaring executed by former and present Commission, *Danvers* 7188, 7189.

4. *Public and Private Documents*.

Distinction between documents considered public, and those which are the private property of the Crown, *Danvers* 7190–7203——All matters connected with the revenue department are considered private, *Danvers* 7195.
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Land. See *Conveyances*.

Land Revenue Office, Records of. Were partially arranged previous to their removal to the shed in Westminster Hall, since which time they have been mixed with the King's Remembrancer's Records, and are inaccessible, *Rep.* xix.——Commissioners have had several reports in reply to inquiries, *Cooper* 255——Much has been done for cleaning, preserving, sorting and arranging these Records by the old Board, *Cooper* 1814——Records are deposited in Spring Gardens, *Cooper* 1806; *Fearnside* 7133——Provisions for their proper custody in a recent Act of Parliament, *Cooper* 1806——The Records of the Auditors of Land Revenue for England and for Wales are not in a good state of arrangement, *Cooper, p.* 672——State of the Accounts of the Land Revenue; totally inaccessible; no possibility of getting at them, *Hewlett* 824——Their state, and inaccessibility, *Illingworth* 968——Miscellaneous Records in a very confused state, in consequence of their having been moved, *Fearnside* 7137–7139——Part are well arranged, *Cooper* 1814; *Fearnside* 7137.
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without the sanction of the Treasury, *Fearnside* 7161–7166——Care is now taken of the Records; they are being repaired, collected and bound, *Fearnside* 7151——About 200 volumes in a satisfactory state, rather more than half the Records, as to utility, *Fearnside* 7155, 7156——To what extent indexed, *Fearnside* 7157——Difficulty of transferring any portion to the custody of the British Museum, *Fearnside* 7160.

Report made to the Board in 1834, that the propriety of providing a proper building for the reception of the Records of the Office of Land Revenue for England and Wales, and appointing a keeper, was under the consideration of the Treasury, *App. p.* 863.

See also *Welsh Rolls.*

Land Tax Redemption Act. Many of the manors of the Duchy of Cornwall have been sold under the Land Tax Redemption Act, *Coode* 4010——Documents relating to these manors should be given up to the purchasers, *Coode* 4010——Witness would advise a client to accept the title usually given under sales and Land Tax Acts, *Coode* 4014.

Land Tenure, India. Opinion of witness that all documents relating to the landed tenure in India should be published, particularly those which give clear insight into the rights of property eight or nine hundred years ago, *Johnston* 5963.

Lanercost Chronicle. Being printed by the Bannatyne Club under the editorship of Mr. Stephenson, *Tytler* 4264–4280.

Langdale, Right Hon. Lord. (Analysis of his Evidence.)—Master of the Rolls 4476——Has the legal care of the Records of the Court, 4477——But they are in the care of the keeper, Mr. Leach, 4478——Records are kept in the chapel and the roof, 4480——They are not in a situation in which Records ought to be kept, 4483——Searches are made by means of the calendars and indexes, some of which belong to the office, while others are the property of private individuals, 4486——Evidence as to extent the expense of preserving the Records and keeping indexes should be borne by the public, 4487–4495——Not instituted any inquiries of what ought to be the expense of conducting the office, or how it could be most satisfactorily defrayed, 4497——Present state of the Rolls House; arrangements made by Sir J. Leach; proposed that the house and garden should be left out of the patent on the appointment of the present Master of the Rolls, but believed to be illegal by the Attorney General, 4501.

Chapel used for service; court held there, 4502——Reserved space which should be applied to building a new court and offices in any arrangement to be made about the Rolls estate, 4505——Steps taken to build judges' chambers on part of the garden of the Rolls estate, 4505——Payment of the Master of the Rolls connected with the rents of the Rolls estate, 4509——Probable that formerly the Master of the Rolls at his official residence had personal care of the Records; this protection entirely lost by the arrangements that have been made, 4508——Convenient to the legal profession that if a General Record Office were erected, it should be built on the site of the Rolls estate, 4510——Building a General Record Office would be very serviceable to persons interested in legal inquiries, 4511——Objection to any part of the expenses being defrayed from the Suitors' Fund of the Court of Chancery, 4512——Concurrence in the opinion of the Accountant-General on this point, 4514——If the public require the accommodation they should pay for it, 4515.

No inconvenience whatever to the Master of the Rolls, nor ought his convenience to stand in the way for a moment, 4516–4518——Whether possible to have a Commission so constituted that some persons may attend to general business, and other persons to parts of it, 4529——Evidence as to eligibility of any Master of the Rolls holding the office of Record Commissioner, 4530–4551——Better to have competent persons paid for regularly attending to the Commission, and responsible for its being transacted; this does not exclude other persons being resorted to for advice and assistance, 4556.——Desirable to have persons who have peculiar knowledge of history and antiquities, or who have control over particular Records, 4557——Difficulty of making an arrangement as to official Commissioners, 4560——Opinion that it would be better for the general management of such a Commission that paid Commissioners were appointed, and that a small number, 4564.

Lansdowne Catalogue. Printed by the late Commissioners at the recommendation of the Committee of 1800, *Rep.* xx.

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1. *King's Remembrancer's Office.*

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Monteil, Mr. His work, "Histoire des Français de divers états," printed by the Royal Printing Office, *Garnier* 4084.

Monumenta Germanica Historica. First work edited by Society for printing Records in Germany; published in 1828; selected by G. H. Peitz, royal librarian, Hanover, *Garnier* 4068——Satisfactory manner in which the work has been executed, *Garnier* 4075.

Morton, Rev. *J.* (Analysis of his Evidence.)—Vicar of Holbeach and Prebend of Lincoln, 5234——Author of a work called Monastic Annals of Teviotdale, 5236——Works of the Record Commission purchased as waste paper by a grocer at Holbeach, 5236——Among them were portions of the Valor Ecclesiasticus, Originalia, and Inquisitiones post Mortem, 5236——Purchased them of a stationer in Aldgate, who received them from Messrs. Baldwin & Cradock, 5243–5248.

Municipal Searches. In cases affecting ancient municipal, inconvenience of expense very much felt, *Parkes* 4381.

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Muratori and Dom Bouquet. Comparative merits of their plan, for large historical works *Garnier* 4076–4079, 4083; *Madden* 5494; *Ellis* 5561–5563——Better to publish historians themselves, and not in periods, *Litledale* 8311——By means of proper indexes you might have all the advantage of periods, *Littledale* 8313.

Murray, John. (Analysis of his Evidence.)—Has seen the publications of the Record Commission, 5273——Is of opinion that such works could not be undertaken by any private individual, or by any combination among booksellers, 5274——Has conducted the sale of the collection of State Papers printed by the State Paper Office, 5276——Number of copies of the work sold, 5279——Want of sale does not arise from want of interest of the public in historical works; the books would have sold better in a cheaper form, 5287——Evidence as to sale of various publications; distaste of the public for quarto volumes, 5297–5326.

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National Archives. No doubt they contain a vast deal of information, applicable in various ways to almost every department of historical inquiry, *Lingard, App. p.* 730; *Southey, App. p.* 731——The information derivable from thence is at present closed against historical inquirers, *Lingard, App. Q.* 2, *p.* 730; *Southey, App. p.* 731——A publication of the documents contained in them, either at large or in the form of abstracts, recommended, *Lingard, App. Q.* 2, *p.* 730; *Southey, p.* 731.

Naval History and Biography. Witness has derived great assistance in his Naval History and Biography from the publications of the Record Board, *Southey, App. Q.* 9–12, *p.* 731.

Newport, Sir *J.* Controls the Pell Office Records; expense of arranging paid by Treasury and Stationery Office, *Cooper* 188.

Nicolas, Sir *H.*

Nicolas, Sir *H.* (Analysis of his Evidence.)—Witness's attention first drawn to the Record Commission, 1827; his view of the evils of the former Board, and remedies proposed by him, 3873——Opinion that clerks and keepers of Records should not be Record agents, 3873–3874——Correspondence with the Duke of Wellington and Hon. G. Lamb, 3883, 3884——Appointment of new Commission undertaken by Lord Brougham, 3884——Considerable doubt whether Lord Brougham is a Commissioner, 3889–3898——Number of the present Commission an objection, 3885——It does not contain elements of practical utility; would neither reform abuses nor repress jobbing, 3899——Communications with Mr. Cooper on the subject of Records and Commission, 3901——Ineffectual attempts of the secretary to stop the proceeding of the work on Parliamentary Writs, 3901——Names of Commissioners who preferred the continuation of the publication, 3904——Mistake of appointing high official functionaries as Commissioners, 3906.

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Want of sale for historical works, 3958–3964——MS of T. Bechington published by witness, 3965——There is no History of England deserving that name, 3966——Very unwise for any person to attempt to write a History of England until an efficient Commission on Records had existed four or five years, 3968——Value of collecting materials for the History of Great Britain, 3970–3976——Great value of unpublished historical documents, 3977——Difficulties in consulting the State Paper Office, 3979——Witness does not think that the Commissions since 1800 have been judicious in their selection of the works they have published, 3981——Bad mode of editing books, 3984——Evils of the formation of the present Commission, 3985——Manner of improving Commission by paid Commissioners, 3986.

(Second Examination.)—Further particulars as to costs and fees in suits in which witness has been concerned; Braye and Vaux Peerages, 4165——Evidence as to improper regulations in the Rolls' Chapel, and the system of keeping Records there, 4173——Charge to the Crown the same as to individuals on the production of Records, 4173——Danger to Records from bringing out the writing by using compositions which eventually destroy the Record, 4173, 4174——Whether Commission have power to control keepers, 4175–4178——Arrangements under which witness edited the Privy Council Books, 4182——Witness never had any direct communication with Commissioners, 4199——Engagement with Mr. Cooper as editor, 4200——Quantity of work performed by witness under his arrangement with the secretary, 4213——Reasons why the sixth volume has not been completed; conduct of secretary to witness, 4215——Printing Records as Appendix to Agenda is a waste of paper and print, 4230——Publications of Commissions have been conducted without any regard to public utility, 4233——Evidence as to the inutility of transcribing Rymer's Transcripts, 4235——Impossible that any good can be done by the present Commission, 4239–4241.

(Third Examination.)—Reasons why witness is decidedly of opinion that no permanent reliance can be placed upon the efforts of clubs for the publication of the great stores of materials for English History, 4585——Scrope and Grosvenor Rolls; fees paid at the Tower for a copy of this Record; published by subscription, 4586——Many series of Records which might be published, being complete, without being delayed for the catalogues necessary for others, 4589.

Nicolas, Sir *Harris.* Editor of Acts and Ordinances of the Privy Council, *Cooper* 46——Nature of engagement with witness as to printing Acts of Privy Council, *Cooper*, 60, 237——Employed on Proceedings and Ordinances of Privy Council, *Cooper* 2585——Evidence as to his appointment to edit the Privy Council Books, *Protheroe* 1569——Remuneration received by him as editor, *Cooper* 2908.

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Nichols, J. B. (Analysis of his Evidence.)—Has been engaged in printing topographical and antiquarian publications for the last forty years, 5842——Acquainted with the works of the Record Commission, 5843——Use of them indispensable to the topographer and antiquary, who would publish a work with credit to himself, 5844——No bookseller would have been induced to publish the works of the Commission at his own charge, inasmuch as they would not have met with a sale corresponding to his expense, 5846——Evidence as to facilities afforded formerly at Record Offices to searchers, 5847——In the last twenty years, considerable improvements have taken place in county histories, which is attributable to the publications of the Record Commission, 5848——Topographers have made less use of Records from the close state of the public offices, expense of fees and

Nichols, J. B. (Analysis of his Evidence.)—*continued.*

and office copies, 5851——Witness found fees charged at the Record Offices a great impediment and annoyance, 5853——Instance of expense incurred in the prosecution of a topographical inquiry in searching the Record Offices, 5859——The great utility of the works would be sufficient to justify the expense in which the nation has been involved, 5861.

Evidence concerning the expense and value in money of the Record publications, 5862——Printer to the Society of Antiquaries, 5869——The accuracy and typographical execution of works published under the authority of the present Board are highly creditable to the parties employed; no works have been published with more clearness of arrangement, and neatness of execution, 5871——Advantages of the octavo form of printing, 5873——A portion of the public money could not be more judiciously employed than on the subjects generally of the Record Commission, 5874——But preference should be given, in the first instance, to calendars and indexes, 5875——Great benefit to authors and others, if charges for fees of copying at the Record Offices were abolished, 5877——Circulation of the publications to provincial public libraries, and lowering the price of the books, have been of the greatest use, 5877——It would be a great national loss, if the objects of the Commission should be wholly swept away and abandoned, 5877.

Nicholson, Bishop. Extract from his works, proving the value of materials to be found in foreign libraries, as throwing a light on periods of English history, *Cooper* 2174.

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Nonæ Rolls. Employment of Mr. Vanderzee to edit them, *Rep.* xii.——Those arranged were again thrown into confusion by the removal to the temporary building in Westminster Hall, *Rep.* xiii.——Witness never able to procure the Nonæ Rolls, though the order of Mr. Vincent was given for their delivery, *Cole* 4629——Some discovered in Kings' Remembrancer's Office, which should have formed part of original publication, *Cole* 7911.

Normandy. Copies of valuable charters procured from Normandy, and other papers connected with history of England, by the Commission for Rymer's Fœdera, *Cooper* 2176.

Norman Rolls. Edited by Mr. Hardy, *Cooper* 2611——The work now suspended, *Cooper* 2617——Suspension of these works owing to debts of Commission, *Cooper* 2617——Partly on account of difference between witness and Mr. Hardy as to remuneration, *Cooper* 2622——Only a defective calendar, *Cooper* 1581——Expense of making a calendar to these Rolls 368 *l.*, *Hardy* 3619——Witness commissioned by Society of Antiquaries to edit the Norman Rolls, *Stapleton* 5187——Believes them to be of great use, *Madden* 5485——Particularly useful, *Taylor* 6163——Time and cost estimate of calendaring the Norman Roll at the Tower, *App. p.* 907, 909——Sum expended by the present Board for printing, paper, transcription, compilation and editorship of the Rotuli Normanniæ, *App. p.* 777.

Northumberland, Earl of. Life, &c. of Walthcof, from college at Douai, copy of, procured by Commission, forms part of Appendix (A.) to Rymer, *Cooper* 2191.

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Oblata Rolls. This work has obtained great credit abroad, *Cooper* 2614——Edited by Mr. Hardy, *Cooper* 2616——Work now suspended, *Cooper* 2617——On account of debt of Commission, *Cooper* 2617——Suspended partly on account of difference between witness and Mr. Hardy as to remuneration, *Cooper* 2622——Edited by Mr. Hardy; a work of great use, and edited exceedingly well, *Madden* 5488——Sum expended by the present Board for paper, printing, transcribing, compiling and editing this work, *App. p.* 778.

Observations in the Calendar of Proceedings in Chancery. Pamphlets printed with witness's name, but not written by him, *Cooper* 2795.

Observations of the state of Historical Literature. Published by Sir H. Nicolas, produced a "Reply by Sir F. Palgrave," followed by a "Refutation," *Nicolas* 3899.

Octavo. Superiority of the octavo form of publication as a substitution for the folio, *Merivale* 6390——Advantage of the octavo form of printing, *Nicholls* 5873——Present Commission have changed the form of their works from folio to octavo, but not made a corresponding reduction in price, *Phillips* 7557, 7558, 7564.

Œconomy of Manufactures. See *Babbage,* Mr.

Officers. Names of the Sub-commissioners, editors, clerks, transcribers, workmen and other persons, who were in the employ of the Board, the 31st December 1835; together with a statement of their salaries, wages or other remuneration, *App. p.* 779, 780.

Offices. See *Abolition of Offices. Record Office.*

Old Sarum Discovery of witness as to the relative meaning of the words "homines" and "burgenses," gathered from the Hundred Rolls, as applicable to that place, *Benson* 4963.

Ord, Mr. Craven. Evidence concerning the sale of Records with the effects of this gentleman, supposed to have belonged to the Exchequer, *Vincent* 1723–1751; *Cole* 4649–4657.

Orders and Decrees. A great disadvantage that orders and decrees now do not contain recitals of proceedings on the course necessary in discovering proceedings in a charity suit, *Freshfield* 8097.

Orders of the Court of Exchequer. They were perfectly accessible when at the Mews at Charing Cross, *Rep.* xiv.

Ordinationes Scaccarii. Select Committee 1800, recommend the printing of, from the Red Book of the Exchequer, *Cooper* 2180.

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Osmund, Saint. Richness of the ecclesiastical Records at Salisbury, beginning with a Chartulary of Saint Osmund, first Norman bishop of that diocese, *Benson* 4975.

Owen, Mr. *A.* Completing the new edition of Welsh laws; terms for remuneration; satisfactory state of the work, *Cooper* 2167——His remuneration as editor, *Cooper* 2857.

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Paddington. Instance of witness being employed as to some charity lands at Paddington; indexes not searched on account of fees, *Hewlett* 762.

Painted Chamber. See *Close Rolls.*

Paisley. See *Cartularies.*

Palatinate. A valuable correspondence relating to the palatinate, from the royal library a Munich, in Appendix (B.) to Rymer, *Cooper* 2191.

Palgrave, Sir *F.* (Analysis of his Evidence.)—Sub-commissioners of Record Board, 4115——And keeper of the Records of the treasury of the Exchequer deposited at the Chapter House, 4115, 4116——History of the office can be carried back to the time of Canute, 4118——Narrative of witness's connexion with the former and present Board, 4121–4164——Reasons for witness's forming the plan for publishing the Parliamentary writs, 4121——Appointment of witness to the Chapter House; interview with Lord Grey; agreement as to salary, 4138——Nature of duties, 4139–4160——Duties to Record Commission, 4161–4164.

(Second Examination.)—Inconvenience of the office at the Chapter House; want of accommodation, 4302——Reduction of fees at Chapter House for legal inquiries; no fees to historical inquirers, 4303——Evidence as to work done for Commission under the new Board, 4304——No editing foreign correspondence at the Tower, 4305——The Curia Regis, 4305——Inedited documents relating to the History of Scotland, 4325——Opinion of witness that an Act ought to be passed, enacting that every work printed by the Commission ought to be received in evidence, 4329——Has printed three volumes of the ancient calendars of the Treasury of the Exchequer; indexes in press; prefaces in preparation, 4329——Printed at the special recommendation of the Commissioners, 4334——Nature of the guild certificates published, 4334–4336——Witness found Chapter House, on his appointment, in an extremely neglected state, 4337——Arrangement of Records, 4340.

Proceedings of the Court of Star Chamber, and of the Court of Requests are merely tied up in bundles, which contain papers and parchments of all sizes, 4343——Letter to Mr. Spearman from witness, stating details as to Records in Chapter House, 4344——Witness removed all obstacles as to making searches directly he became appointed, 4346——Witness considered his holding the office of Corporation Commissioner as not interfering with the discharge of his other duties, 4348–4350——Witness's occupation for the Board during the time he was a Corporation Commissioner, 4351–4358——Want of arrangement of materials impeded witness during his progress in collating and printing the Parliamentary Writs, 4359–4362——Witness knows of no school of young transcribers, 4365——Has educated young men whom he has taken from Christ's Hospital, 4365——Evidence as to expediency of a new Record Office; the first work to be performed should be arranging and binding the Records; any money laid out in building before that process would not be laid out to so much advantage as if expended afterwards, 4366.

(Third Examination.)—Extent to which witness has been in the practice of consulting and advising with the Commissioners on the progress of works, so as to obtain their opinions and assistance, 5258——The publications of the Commission, taking them altogether, disclose a mass of information which is unrivalled in literature, as a collection of documents illustrating the history of the country, 5265——The Commission has exercised a sound discretion in its choice of publications, 5266——Extent to which Commissioners have exercised a sound discretion in their choice of editors, 5267——Works which have been published under the authority of the Commission are works which could not have been undertaken by booksellers as matters of private speculation, or by associated booksellers, 5268——They could have been printed in no way but at the public expense, 5269——Reasons why witness approves of the plan of printing with the contractions, which affords great protection against the errors of transcribers, 5270–5272——Corrections of former evidence and explanations as to witness's employment at the Tower and Chapter House; also during the time witness was a Corporation Commissioner, 5272.

Palgrave, Sir *F.* Evidence concerning his Essay on Origin of Equitable Jurisdiction, *Cooper* 2644——Among the most competent of the editors employed by the Board, *Cooper*

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2658——His remuneration as editor and keeper of the Chapter House Records, *Cooper* 2861——Formerly engaged in arranging Tower Records, now appointed keeper of Chapter House Records, *Cooper* 33——Explanations of former evidence as to witness's employment at the Tower and Chapter House; also during the time witness was a Corporation Commissioner, *Palgrave* 5272——Sums paid him as editor of the Parliamentary Writs and other works, *App. p.* 768, 769——Extract from Minutes of the Proceedings of the Board of His Majesty's Commissioners on Public Records, relative to his salary, *App. p.* 891.

See also *Chapter House. Corporation Commission. Parliamentary Writs. Tower.*

Palmer, Thomas. (Analysis of his Evidence.)—Chief clerk of the Record Office at the Rolls Chapel, 6199—— Only improvement which has taken place has been in repairing the Records under the authority of His Majesty's Commissioners, 6202, 6203——Repairs which have been effected under their superintendence, 6204——Upon describing the nature of an instrument, and giving the names of the parties and the dates, any Records can be produced immediately, 6211–6230, 6250——The office indexes contain only the names of persons, which gives inconvenience to parties not being provided with names and dates, 6213——Fee for examining an Inquisition post Mortem is 6*s.* 8*d.*, 6215—— The fee customary and recommended to be allowed by Commissioners for examining into duties of officers of courts of justice, 6216——Extracts are not allowed, 6218.

Fee charged for examining the indexes, 6219——The indexes are the property of the public on payment of fees, 6220, 6221——On a proper introduction, literary inquirers are allowed access to the Records gratuitously, 6225——All Privy Seal warrants and signed Bills, from Henry VII., with chasms, to the present time, 6231——Any would be found, but not in such a state of arrangement as to be found immediately, 6232——Description of the presses and their locality, in which the Patent Rolls, Close Rolls, Fine Rolls, Confiscation Rolls, Parliament Rolls and Decree Rolls, Miscellaneous Rolls are placed, 6234–6248——Description of the nature of the documents called "Miscellaneous," 6248—— Evidence explanatory of the mode in which Records bound in volumes are removed for copying and replaced without any injury, 6252.

Palmer, Mr. Principal clerk at Rolls Chapel Record Office, who is superintending the operations under the Commission in that office, *Cooper* 264.

Palæographical Books. Sums expended by the Commissioners in purchases of Palæographical books in all languages, *App.* 771.——Is nearly complete, and has been found of great use to the young transcribers, *App. p.* 771.

Pamphlet. Evidence concerning the publication of a pamphlet by Mr. Cole, on the subject of the transference of Records to the King's Remembrancer, *Protheroe* 2104–2108.

See also *British Museum. Observations on Chancery Proceedings. Observations on the State of Historical Literature.*

Panton, Charles. (Analysis of his Evidence.)—Clerk in the late office of Clerk of the Pipe, 7041 ——The series called Great Roll of the Pipe is in a good state, 7043——Record Commission have been instrumental in the repair and better arrangement of that series, 7044—— Series now complete, from 2 Henry II. to 2 William IV., with one exception, viz.; 1 Henry III., 7047——Bad state of the Rolls described in the Report of 1800, 7049 ——Searches now made for professional literary purposes, 7050–7052——Inconvenience of the depository, 7053–7057——Mode of searching office at Somerset House and Temple, 7058–7083——There are no calendars at all, 7084, 7085——Legal custody of the Records was transferred by Act of Parliament to the King's Remembrancer, 7087——General unarranged state of Records, 7092——State of the Crown leases; unarranged; to look through the whole when one is wanted, 7097–7101——Work of arrangement was stopped on abolition of the Pipe Office in 1833, 7082——Differences of opinion between secretary to the Record Commission and King's Remembrancer, as to mode of remuneration for transcribing the Pipe Roll, 7105–7107.

Panton, Mr. Employment of Mr. Panton on the Pipe Records, *Cooper* 157, 1148.

Papal Bulls. Have only a very brief calendar, *Cooper* 1081.

Pardon Rolls. Have neither calendar nor index, *Cooper* 1081.

Paris. See *Royal Archives.*

Parke, Mr. Baron. He has never directed the attention of the Board to any such office as the Exchequer of Pleas, though one of the Commissioners, *Rep.* xix.——Letter from him to Mr. Cooper, dated 20th June 1836, respecting the constitution of the Record Board, *App. p.* 871.

Parkes, Joseph. (Analysis of his Evidence.)—Witness does not think that Records are properly accessible in the Rolls Chapel, Hanaper Office, Chancery Offices, or Tower, 4374, 4375——Searchers have a right to complain of the want of personal access to indexes; heavy charges for searches and expense of transcripts, 4376——Witness often put to the expense of whole copy when extract would have been sufficient, 4377—— Great grievance in the expense; great facility with regard to time, in discovering documents

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documents at the Rolls Chapel, 4380——In cases affecting ancient municipal rights, inconvenience of expense very much felt, 4381——Much litigation might be prevented if ready access were afforded to all Records, 4383——Useful if the Record Commission, instead of publishing many of their works, had printed the indexes of the several offices, 4383——Greatest service that the Record Commission could render the country, in an historical point of view, would be, to provide better and ample catalogues of the Records, 4385—— Fees of two or three offices often paid from want of knowledge of the real depository, 4385.

Records in the Rolls Chapel very accessible, 4386——A most valuable object of the Commission should have been some years since to have published extracts from ancient charters, and entire prints of all governing charters, 4387——Witness of opinion that building a Record depository is of paramount importance; would greatly diminish the expense of seeking Records, 4388——Sir Francis Palgrave's employment as Corporation Commissioner; duties and remuneration, 4391–4411——Matter of great regret that Commission did not publish the Statutes in a cheaper form, 4412——Parliamentary Writs and Chancery Rolls should also have been printed and circulated more cheaply, 4412——Utility of these works much lessened by reference, 4413——More good might have been done with the sums expended: building should have been erected, indexes been published, and free access to Records given, 4413.

Parliament. Insists always on original documents being produced. Record officers charge a guinea for each Record taken to either House of Parliament, *Rep.* xxv; *Hewlett* 738; *Illingworth* 885.——And the expense as if the document had been copied, *Hewlett* 742.

Parliament, Burning of the Houses of. See *Augmentation Office*, 4.

Parliament. See *Modus Tenendi Parliamentum. Returns to Parliament.*

Parliament Office. Judging from the return made by Mr. Courtenay, December 17, 1832, it would appear that the contents of this office are well ascertained and arranged; *Cooper p.* 671.

Parliament Rolls. Are to be found at the Chapter-house, Tower and King's Remembrancer's, *Cole* 4762.

Parliamentary Survey. See *Ecclesiastical Survey.*

Parliamentary Writs. Reasons for witness's forming the plan for publishing the Parliamentary Writs, *Palgrave* 4121——Evidence concerning the publication of the Parliamentary Writs, *Hunter* 3190–3197, 3234——Committee appointed to consider expediency of continuing Parliamentary Writs, *Cooper* 7706, 7715.——Witness had nothing to do with the Report, *Cooper* 7707——Effort of the secretary to stop the plan of the work, *Nicolas* 3901——Work suspended from want of funds, *Cooper* 2624——Want of arrangement of materials impeded witness during his progress in collecting and printing the Parliamentary Writs, *Palgrave* 4359–4362——Should have been printed and published in a cheaper form, *Parkes* 4412——Contain an immense mine of historical information, *Gurney* 5085——Alphabetical digest is of the greatest possible convenience, *Gurney* 5088——Work ought to be carried down to the present time, *Gurney* 5097.

Value of this work, *Stapleton* 5149——Work should be continued, leaving out alphabetical digest, *Stapleton* 5152——Work of the greatest utility, *Kempe* 6193——Witness's opinion of this work; no person can doubt the utility and value of this work, *Allen* 7421 —— Contain a vast many details and specific information as to the state of the country in those periods to which they relate, *Hallam* 7579 ——This publication would have contained much matter since brought to light if Records had been more arranged before publication, *Cole* 7911——Witness considers the work on Parliamentary Writs the most useless work the Commission have published, *Grimaldi* 6615——Witness did not mean to imply that the Parliamentary Writs might not be useful to the general student in historical literature or constitutional history, *Grimaldi* 6629.

The publication of this work has removed several doubts respecting the rights of the baronage and the constitution of Parliament, *Lingard App. Q.* 13, *p.* 730—— Editorial and other charges incurred by the Record Commission in preparing this work for publication, &c., *App.* 768, 769.

Patent Rolls:

1. *Generally.*
2. *Index.*
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1. *Generally.*

Manner in which they are kept in the Rolls Chapel, *Rep.* x.——Imperfect calendars to, formed by the late Commission, *Rep.* xx——Edited by Mr. Hardy; work now suspended on account of debts of Commission, partly on account of difference between witness and Mr. H. as to remuneration, *Cooper* 2615–2622——Evidence as to printing a Patent Roll twice, *Cooper* 1900–1904; *Hardy* 3678, 3679; *Hunter* 6301——On comparing Patent Rolls as published with the manuscript, witness has not discovered the variation of a letter, *Grimaldi* 6525——Are to be found in the Tower, Rolls Chapel and Chapter House,

Patent Rolls:—1. *Generally*—continued.

House, *Cole* 4762——Better published by a Record Commission than by a private club or individual, *Tytler* 4273——Willingness with which the country would see these Rolls printed, *Tytler* 4567; *Nicolas* 4589——Thiswork executed in a most satisfactory manner, *Madden* 5481——Witness entertains a high opinion of the value of these Rolls, *Bruce* 5923; *Allen* 7409, 7423; *Phillips* 7512——Evidence as to expensive manner in which the publications are offered to the public; price demanded for witness's General Introduction to the Patent Rolls, *Hardy* 6092.

2. *Index.*

What extent calendared and indexed, *Cooper* 1081——Evidence concerning state of Indexes, *Illingworth* 903——Badness of the calendar to these Rolls published by former Commission, *Hardy* 6997; *Roberts* 7011——Patent Rolls could be calendared, for 9,666 *l.*, *Hardy* 3619——Value of calendar to these Rolls, *Stevenson* 3816.

3. *Papers laid before the Committee.*

Information respecting the nature of the grievances which called forth the resistance of the Barons under John, to be obtained from a perusal of them, *Lingard, App. Q.* 12, *p.* 730——Sum paid in preparing this work for press, *App. p.* 778.——Time and cost of estimate of calendaring the Patent Rolls, *App. p.* 905, 908.

Payments. Instances in which witness has had recourse to the Board for directions as to payment, *Cooper* 7781.
See also *King's Printer. Remuneration.*

Pedes Finium for Richard and John. As each of these is a distinct instrument, there is a possibility that some of them may have strayed from their proper depository, and so be unknown; but the probability is small, and the number (supposing it to be so) cannot be great, *Cooper p.* 670.

Pedigree. See *Early Fines.*

Peerage Cases. Evils of the fees charged in Peerage cases, *Rep.* xxiv.
See also *Braye Peerage. Vaux Peerage.*

Pell Office:

1. *Arrangement.*
2. *Fees.*
3. *Index.*
4. *Papers laid before the Committee.*

1. *Arrangement.*

Confused state of the Records; arrangement taking place under the superintendence of Mr. F. Devon, *Rep.* xvii.——The present Commission has taken part as to the Records at this office, *Cooper* 252——Control of the Pell Office under Sir J. Newport; expense of arranging paid by Treasury and Stationery Office, *Cooper* 188——Superintended by Mr. Devon, *Cooper* 189 ——Confusion of Records on Sir J. Newport's appointment, *Eden* 7220, 7282——The Records in this office are now being arranged, and their nature ascertained, *Cooper, p.* 671——Deposit of Records, *Cooper* 1240; *Eden* 7268——Employment of Mr. Devon; arrangement now going on, *Cooper* 1241; *Eden* 7274, 7275——Attendance of Mr. Devon, *Eden* 7798, 7800——Application to Record Commission; appointment of Mr. Devon, *Eden* 7270, 7286——Two volumes have been published by Mr. Devon, *Eden* 7278

2. *Fees.*

No fees charged, *Cooper* 1247-1253——As far as arranged, Records accessible without payment of fees, *Eden* 7274, 7275.

3. *Index.*

There are neither calendars nor indexes; Mr. Devon is making a catalogue, *Rep.* xxii. ——One-third of Records arranged; they will take four years to finish, *Eden* 7290——No index can be made till the work of arrangement is done, *Eden* 7293——Employment of Mr. Devon; arrangement now going on; catalogues forming by Mr. Devon, *Cooper* 1247-1253.

4. *Papers laid before the Committee.*

Arrangement made for having the Records of the Clerk of the Pells cleaned, sorted, repaired and catalogued under the superintendence of the Board, *App. p.* 863.

Peninsular War, History of. The publications of the Record Board could not supply any material for this publication, *Southey, App. Q.* 9-12. *p.* 731.

Pension. Suppression of portion of a letter written by witness on the subject of an income of 500 *l.* being allowed to Mr. Caley, *Protheroe* 1325——Wrong done in giving Mr. Caley 500 *l.* per annum, *Protheroe* 1523-1529——Government of France allows pensions to literary men of merit, which are submitted to the Chamber of Deputies, *Garnier* 4088.

Perambulation Rolls. Extent to which calendars or indexes are made, *Cooper* 1081.

Pertz, Mr. See *Germany.*

Peter Le Neve. See *Le Neve.*

Petit, Mr. *Louis Hayes.* Letter from him to Mr. Cooper, dated 11 June 1836, respecting the constitution of the present Record Board, *App. p.* 870.
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Petrie, Henry. (Analysis of his Evidence.)—Keeper of the Chancery Records in the Tower, 3387——Date of commencing the work of editing Materials for the History of Britain, 3389——Nature of communications which passed between witness and the Board on the subject of suspending the work, 3406–3418——Origin of the work; meeting at Lord Spencer's; application to Parliament, 3419–3423—— Searches for materials, by witness, on the continent, 3425——Witness had no communication with the Board as to being supplied with information, 3427——No co-operation between witness and secretary; not aware that Mr. Cooper was collecting information for materials for History on the continent, 3430–3441——Witness not aware that a new edition of Froissart was to be printed by the Commission, 3442——Nor that a volume had been prepared, containing a collection of old Anglo-Saxon poems, 3446——Evidence concerning a poem, "De Bello Hustingensi," printed by witness, and reprinted, apparently with witness's emendations, in Appendix (C.), 3455–3467.
Copies of witness's work in the press been sent abroad; unfairness of the step, 3470——Former historians have been less successful in writing their histories than they might otherwise have been, in consequence of the absence of collections for materials, 3472——Desirable that a more accurate history should be written than we at present possess, 3474——A person capable of undertaking the task would labour under great disadvantages from the absence of such a work, 3475, 3487——Doubts as to whether desirable to place different periods in different hands, 3477——Witness's plan for collecting materials for history printed by the Secretary of the Record Commission, without his consent or knowledge, 3491–3492——Record Office at the Tower open to copying at all times to Commission, to any extent, 3499——Tower Records well arranged, 3503——Calendars not so good as they could be, 3505——Employment of Sir F. Palgrave and Mr. Stevenson at the Tower, 3506–3514——Witness declines giving any opinion on publications of Commission, not having examined them sufficiently to form a notion of their value, 3518.

Petrie, Mr. Employment at the Tower, *Cooper* 1044——Calendars formed by Mr. Petrie, *Cooper* 1086——Proper course pursued by Mr. Petrie in refusing leave to copy Records without order of the Board, *Protheroe* 1310——Editor of the work on British history, in conjunction with Rev. J. Sharp, *Cooper* 2165——Annual report from him, dated 17 April 1835, respecting the works at the Tower, from March 1834 to March 1835, *App. p.* 877——Letter from him to Charles Buller, Esq. M. P., dated 6 March 1836, relating to the transcription and publication of Records in his custody, *App. p.* 877.
See also *Britain, Materials for History of.*

Petty Bag Office. A full return has been received by the Board from this office, *Cooper* 261——Search of witness in the Petty Bag Office; nature of documents in this office; indexes; amount of fees demanded for searching, *Hewlett* 757–766——Witness's opinion that Commission could not have done better than make calendars to these documents, and lessen expense of searching, *Hewlett* 767——Evidence concerning Charity Records deposited in this office; fees paid, &c., *Cooper* 1823–1827——Building of the office in the Rolls' yard; the expense was defrayed out of the Suitors' Fund; room were Records kept fire-proof; there are tolerable calendars and indexes, *Cooper* 1823.

Phillips, Sir Thomas. (Analysis of his Evidence.)—Engaged in archæological pursuits, and collecting historical MSS, 7476——Engaged in topographical researches, which could not be prosecuted without a knowledge of the national archives, 7478——Want of arrangement among Records inconvenient for topographical inquirers, 7485——Want of indexes and catalogues a great impediment, 7486——And the high fees in certain offices, 7487——Distribution of Records in different parts of London, inconvenience of literary inquirers and persons making searches for legal purposes, 7491——Two first volumes of calendars to Inquisitiones post Mortem, not accurate, 7492——Witness's knowledge of the Chapter House; calendar of Pedes Finium is very good, 7493——Good state of Records at the Augmentation Office; they are better classed and more accessible than formerly, 7504.
Has found the greatest difficulty of access at the Rolls on account of the extremely high fees, 7506——Publication of such Records as the Close Patent and Pipe Rolls is highly expedient, 7512——Sale of such works as Records not likely to induce any booksellers to undertake the work, 7514——Absolutely necessary that Government should undertake, at the public expense, the publication of Records, 7515——Works formerly not sufficiently examined and collated with the originals by the editors, 7516——Print the Records and let the public make indexes if they want them, 7518——Volumes ought to be very low priced, 7322——No expense should be spared till all

Phillips, Sir Thomas. (Analysis of his Evidence)—*continued.*

were published, 7523——There has been a material improvement in the publications issuing under the authority of the present Commission, 7529——Inaccuracies discovered by witness in the Taxatio of Pope Nicolas, and the Testa de Neville, 7529——Every document that can be obtained for the Fœdera should be procured; approves of the foreign researches carried on for that purpose, 7531, 7532.

Evidence concerning the sale of sixteen tons of Record Commissioner's publications as waste paper, 7541–7549——Many Records lost at the time of the transfer of Records of the Court of Exchequer to Westminster Hall, 7550——Loss of Records at the fire of the Houses of Parliament, 7552——The present Commissioners have changed the form of their works from folio to octavo, but not made a corresponding reduction in price, 7557, 7558–7564——Majority of the works of the last Commission are far superior to those of the former Commission, 7565——Some are exceedingly inaccurate, owing to the incompetency of the editors, 7566——Calendars of many Records have not been published; those of the Placita and Fines, 7567——Series of Records should be published, but no selection, 7574——If calendars are printed, the Records ought to go on simultaneously, 7577——If Records were published with good indexes, calendars not necessary for the public, only useful to the offices, 7577.

Pickering, Mr. Evidence as to purchase of Exchequer Records, *Cooper* 1227; *Cole* 4649——Records belonging to King's Remembrancer's Office in his possession; steps taken to recover them, *Cooper* 1225–1227.

Pinkerton, Mr. His opinion of the extent to which ancient authorities should be quoted in any work intended to be complete on English history, *Cooper* 2163.

Pipe Office:

1. *State of Records.*
2. *Bad state of the Office.*
3. *Fees.*
4. *Indexes.*
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1. *State of Records.*

Cause of the suspension of the arrangement of Records in the Pipe Office, *Rep.* xii. State of Records at, *Cooper* 154——The present Commission has taken part in the control of Records at this office, *Cooper* 249——Suspension of work at, owing to demand of 6*d.* instead of 4*d.* for transcribing, *Cooper* 178; *Panton* 7105–7107——Arrangements as to transcribing and remunerating at the Pipe Office, attempted between witness and secretary to Record Commission, but failed, *Vincent* 1697–1700——State of Records at this office very good, *Vincent* 1702——Discontinuance of work by Commission at Pipe Office, in consequence of arrangements with King's Remembrancer, *Cooper* 1151, 1163–1167; *Panton* 7087–7105.

General unarranged state of the Records, *Panton* 7092——Work of arrangement stopped on abolition of the Pipe Office, *Panton* 7002——Searches can be made for literary and professional purposes, *Panton* 7050–7052——Mode of searching office at Somerset House and Temple, *Panton* 7058–7083——Documents relating to the manor of Tywarnhale, in Cornwall, found among the Records, *Cole* 4773——The series of Pipe Rolls is complete from 2d Henry II. to the present time, excepting the Rolls of 1st Henry III. and 7th Henry IV., and is kept in a state of perfect arrangement. The other Records of this office, owing to their extremely inconvenient depository, and the little inquiry made after them, are not well arranged, *Cooper* 672.

2. *Badness of the Office.*

Evidence concerning dampness in the Pipe Rolls, *Rep.* xi. *Cooper* 231——Removal of Pipe Rolls from vaults in Somerset House, *Cooper* 233——Difficulty of finding Records very great, *Hardy* 3643——Vaults in which kept, damp and unwholesome, *Hardy* 3644——Inconvenience of depository, *Panton* 7053–7057——Bad state of Records at the Pipe Office; consequences of the changes from dry to damp in the depository at Somerset House, *Cole* 4770.

3. *Fees.*

Evidence as to fees, *Cooper* 1805——Situation of the Pipe Office bad; the only office at which witness has dared to pay fees, *Gage* 5114——Regulations as to amount of fees to be charged by this office, *Cooper, p.* 215.

4. *Index.*

There are no calendars, *Rep.* xxi. *Panton* 7084, 7085.

5. *Papers laid before the Committee.*

Expenses of sorting, cleaning, arranging, repairing and binding the Records at this office *App. p.* 771——State of the Records deposited in the Pipe Office, *App. p.* 862.

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Pipe Rolls. Damp state of those in the vaults of Somerset House, *Rep.* xi.——There are no calendars or indexes, *Rep.* xxi.——Series not complete, some of the early Rolls missing, but some, supposed to be lost, recovered, *Protheroe* 1641——This work suspended for want of funds, *Cooper* 2624——Evidence concerning the Pipe Rolls, *Protheroe* 1643——Witness's opinion, that it was more advisable to print the Pipe Rolls of King John than to pursue transcripts of Rymer's Fœdera, *Stevenson* 3772——To be found in the Chapter House, Pipe Office, Pell Office, *Cole* 4762——On a scale of publication more adapted to a Record Board than to a club or individual, *Tytler* 4273——Willingness with which the country would have these Rolls printed, *Tytler* 4567.

Importance of these Rolls, *Stapleton* 5148——Value of their publication, *Madden* 5482; *Allen* 7409–7423; *Phillips* 7512——Are extremely important, both to general history and topography, and very serviceable to the genealogist, *Ellis* 5557——Publication of the Pipe Rolls, a proper measure; right date established by Mr. Hunter; of importance to have it accurately dated, *Bruce* 5908–5912——A very important publication, *Taylor* 6165——Examination as to nature of publication, and value of Pipe Rolls, *Allen* 7381–7397——The series called Great Rolls of the Pipe in a good state, *Panton* 7043——Record Commission have been instrumental in the repairs and better arrangement of that series, *Panton* 7044——Series now complete from 2 Henry II. to 2 Will. IV., with one exception, 1st Henry III., *Panton* 7047.

Sums paid for transcription of the Roll, printing, paper, compilation and editorship, *App. p.* 776——Proceedings taken by the Board to get them placed in proper order, &c., *App. p.* 863.

Pitcairn, Mr. Principal person employed under witness in the abridgement of the register of the great seal; his claim to remuneration recognized by the present Board, *Thomson* 3823*——Committee appointed to consider his case, *Cooper* 7725–7789.

Placita Coronæ. Witness much struck with this publication inserted in Curiæ Regis, made during the itinera of the Judges in Eyre, *Benson* 4973.

Placitorum Abbreviatio. Witness derived much assistance from the Placitorum Abbreviatio in a work he published, *Stephen* 6775.

Plea Rolls. Have neither index nor calendar, *Cooper* 1041.

Pleadings on Petition of Right. Are kept among the Miscellaneous Records at the Rolls Chapel, *Palmer* 6248.

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Portland, Duke of. Search made by witness for the Duke of Portland, *Hewlett* 615.

Portsmouth Harbour. A Special Commission relative thereto sought for in vain, though known to exist or to have existed, *Rep.* xiv.

Portugal. Many documents found in the Royal archive in Torre de Tombo, at Lisbon, procured by the Commission, *Cooper, p.* 185——Catalogue of transcripts of documents relating to English history, *App. p.* 884, 885.

Prefaces:

1. *Generally.*
2. *To particular works.*

1. *Generally.*

Prefaces which have appeared to the successive publications under the Commission, highly creditable to the parties, *Hunter* 6285——A greater degree of critical excellence in the prefaces and illustrations that have accompanied the recent publications, as compared with former works, *Merivale* 6397.

2. *To particular works.*

Valuable information contained in the prefaces of the Close Rolls and Privy Council books, *Bruce* 5916, 5917——Preface to the Chancellor's Roll, written by Mr. Hunter to supply that written by Mr. Devon, *Cooper* 1899——There are very useful prefaces to the catalogue of Harleian MSS, *Cooper* 1875——There are prefaces to the Cottonian and Lansdowne catalogues, *Cooper* 1875——Evidence concerning preface to Privy Council volumes, *Nicolas* 4219——Evidence as to preface and title page to Selections from Exchequer Records (printed as Agenda), *Protheroe* 1658; *Cooper* 2681–2687; *Cole* 4590; *Brayley* 6380——Prefaces to the Statutes and Fœdera; most of the publications of the old Board have introductions or prefaces, *Cooper* 1875——Preface to Pipe Rolls written by Mr. Hunter, *Cooper* 2577——Dedication of preface of Close Rolls to Mr. Cooper; surprise of Mr. Protheroe at the work being dedicated to the secretary, *Hardy* 3651, 3655.

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Prerogative Court of Canterbury. The wills, the most material of the documents here deposited, are supposed to be in perfect order, and are easily consultable, *Cooper, p.* 672.

Presents of Works of Commission. Evidence as to presents made to individuals on loans of works of Commission, *Cooper* 7869–7905——Publications received by witness from Record Commission, considers them decidedly a donation, *Sugden* 8037–8042; *Merewether* 8065–8072——Return of all books published by the Record Commission, which have, since the 1st January last, been sent as gifts or loans to any individuals or public bodies, specifying the names of such individuals or bodies, the titles, together with the size and number of volumes of such works, and the dates at which such present or loan was made, and the value of each of them, *App. p.* 819–828.

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Preservation of Records. Summary from the minute books of measures taken by the Board for preserving the Records, and rendering the use of them more convenient to the public, *App. p.* 858–868.

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Price of Printing. See *King's Printer. Printing. Tender.*

Price of Publication of Record Commission. Present Commission have changed the form of their works from folio to octavo, but not made a corresponding reduction in price, *Phillips* 7557, 7558–7564——Evidence as to expensive manner in which publications are offered to the public; price demanded for witness's general introduction to the Patent Rolls, *Hardy* 6098——The high prices of the different publications of the Record Board prevented their being purchased originally by historical inquirers, *Lingard, App. Q.* 14, *p.* 730.

Printing:

1, *Generally.*
2. *Authority of the Board for Printing.*
3. *Comparative advantage of Printing and arranging.*
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1. *Generally.*

Expenses of printing greatly increased when there are contractions or foreign languages, *Rees* 5376–5383——Witness has known instances where corrections have cost double the composition, *Rees* 5376——Extract from Mr. Babbage's statement of expenses of printing his Œconomy of Manufactures, *Rees* 5384——Advantages of the octavo form of printing, *Nichols* 5873——Superiority of the octavo form of publication as a substitution for the folio, *Merivale* 6390——Witness approves of the plan of printing with contractions, which affords great protection against the errors of transcribers, *Palgrave* 5270, 5272——There has been no Reprint of Records except a half year's Patent Roll, which is in the Rotuli Selecti, *Hunter* 6301——Witness has opposed his opinion to the wish of a Commissioner to reprint a large portion of matter, because it had been printed before, *Hunter* 6301.

2 *Authority of the Board for Printing.*

Opinion of the Committee as to construction of the wording the Commission as to precedence of printing or arranging, *Rep.* v. vi.——Order of Board obtained before any works of transcriptions or printing are commenced, *Cooper* 123——Order of Board, authorizing printing witness's work, *Cooper* 132——Cause of expense of printing, as compared with the cost of arranging and methodizing, *Cooper* 136——Authority under which the Board have printed and published, *Cooper* 1865——Always thought it was the province of the Board to print manuscripts, although not Records, connected with history, *Cooper* 1868——Evidence as to works printed by the Board, their authority for so doing, *Cooper* 2569–2575——Nature of the authority for printing vested in the Commission, *Protheroe* 1583; *Cooper* 1865.

3. *Comparative advantage of Printing and arranging.*

Should be made subordinate to arrangement, *Protheroe* 1294, 2055——Extent to which printing should be carried; transcripts would not answer the purpose, *Protheroe* 1485–1489——Value of printing as compared with transcriptions for perpetuation, *Hunter* 3254–3256——Remarks and statement of witness on the subject of printing having been resumed, whilst there were Records still unarranged, *Cooper* 7807——Analysis of accounts, showing expenditure upon classing, calendaring, arranging and binding Records, *Cooper* 7808——Cause of expense of printing, as compared with the cost of arranging and methodizing, *Cooper* 136——Advisable to have postponed publication to arrangement, *Protheroe* 1249, 2055——Arrangement of Records cannot be carried too far, *Hunter* 3186——How far Records might be printed without waiting for the final arrangement of all, *Hunter* 3188–3190——Opinion as to arrangement or publication preceding each other, *Hunter* 3252.

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PRINTING:—3. *Comparative advantage of printing and arranging*—continued.

A portion of the public money could not be more judiciously expended than on the subject of the Record Commission; printing Records, calendars, and arranging Records, should go on together, *Nichols* 5874——Print Records, let Public make indexes if they want them, *Phillips* 7518——Printing and calendaring should go on simultaneously, *Phillips* 7577——Arrangement and printing should be gradually proceeded with, *Gurney* 5233——Arrangement and publication should go on at the same time, *Gage* 5075, 5076——Witness would be sorry to see the publication suspended till the Records were all arranged, *Gage* 5077——How far arranging and preserving Records should have been a primary object with the Record Commission, *Merivale* 5752——No objection to the operation of arranging and printing going on simultaneously, *Merivale* 5764——Witness thinks that after certain steps have been taken as to arranging Records, calendaring might commence before all money was expended in arranging, *Grimaldi* 6551——Arranging, repairing and calendaring are objects which the Commission should have attended to before printing any of the Records, *Grimaldi* 6553——Better to have calendared and arranged documents at the Chapter House than to have printed, *Grimaldi* 6554.

Many Records in the tower in perfect order, of which calendars should be printed either simultaneously or before other Records are arranged, *Grimaldi* 6555–6559——After Records are calendered, desirable that they should be printed, *Tytler* 4279——Could never be carried to such an extent, on account of expense, as to enable an historical inquirer to dispense with researches among original documents, *Tytler* 4282——Judging from the works the Record Commission have printed, they have been led into error owing to the want of proper calendars and catalogues, *Tytler* 4285, 4286——No other mode of making Records generally accessible than by printing, *Gurney* 5232——No expense should be spared till they were printed, *Phillips* 7523——If calendars are printed the Records ought to go on simultaneously; if Records were published with good indexes, calendars not necessary for the public, only useful to offices, *Phillips* 7577.

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Sums paid by the Record Commission for printing between January and July 1834, *App. p.* 766, 777——Extracts from the minutes of the proceedings of the Record Board of all orders relative to printing, transcribing and publishing works, with the dates when such orders were made, *App. p.* 853–858.

See also *Agenda. Babbage*, Mr. *Charters. Contractions. General Report. King's Printer. Reprinting. Roworth and Co. Royal Printing, France. Tender.*

Private Acts. Private Acts of Parliament of an early period would be a valuable publication if confined to certain select subjects, *Wetherell* 5996–6000——Value of a selection of private Acts down to a certain period, *Wetherell* 6045——Not expedient to publish an edition of private Acts, *Vice Chancellor* 6664; *Sugden* 8012–8015.

Private Indexes. See *Augmentation Office. Caley*, Mr. *Indexes*, 3. *Kipling*, Mr. *Rolls.*

Private Records. Constant endeavour of witness to collect into the General Registry Office all Records that were existing in private hands, and other repositories, *Thomson* 3836*——Value of making public the intention of the Commission to publish works of which any portion may be in private collections, *Hunter* 3252.

PRIVY COUNCIL, ACTS AND ORDINANCES OF:

1. *Generally.*
2. *Papers laid before the Committee.*

1. *Generally.*

Acts and ordinances of, edited by Sir H. Nicolas, *Cooper* 46——Printing proceedings and ordinances of the Privy Council, edited by Sir H. Nicolas; evidence as to transcripts of this work, *Cooper* 2581–2609——Communications with Mr. Cooper respecting duplicate transcripts, *Nicolas* 4182——Evidence as to cancelled sheets of this work, *Cooper* 2603——Evidence as to appointment of Sir H. Nicolas to edit Privy Council books, *Protheroe* 1569——Opinions of Sir F. Palgrave on the authority of the Privy Council, *Protheroe* 1575–1579——Of the period of Henry V. and VI. have not been consulted by historians, though they have been accessible for upwards of a century, *Nicolas* 3977——Arrangements under which witness edited the Privy Council books, *Nicolas* 4182——Number of volumes published by witness; nature of engagement; amount of remuneration, *Nicolas* 4182–4213——Reasons for the non-publication of the sixth volume; conduct of Secretary to witness, *Nicolas* 4215.

Valuable work now in course of publication by Sir H. Nicolas, *Tytler* 4279——A perfect series may be printed without reference to catalogues, *Nicolas* 4589——A work unquestionably of great historical information and interest, *Madden* 5486——Form a most important publication for English history, *Ellis* 5560——Of great importance, *Merivale* 6397——Publication of the history and proceedings of the Privy Council should take place without delay; important to the colonies that such information should be brought within their reach, *Johnston* 5960——Number of Privy Council's letters found

Privy Council, Acts and Ordinances of:—1. *Generally*—continued.

in the Records at Salisbury, *Benson* 4975——Valuable information contained in the preface to this work, *Bruce* 5916, 5917——The Privy Council books, in a constitutional point of view, very important, *Taylor* 6168——Minutes of the Privy Council equal to any that have gone before, if not superior, *Brayley* 6364——Publication of Privy Council books desirable, *Sugden* 8036.

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Much light has been thrown on the formation, the duties and the rights thereof, by the publication of the Acts of the Privy Council, *Lingard, App. Q.* 13, *p.* 730——Sum paid for printing, paper, transcription, compilation and editorship of the proceedings and ordinances of the Privy Council of England, *App. p.* 776, 777, 779.

Privy Purse. Revenues of the Duchy of Cornwall paid to the King's Privy Purse when there is no Prince of Wales, *Abbott* 3001.

Privy Seals. Statement by the secretary as to the necessity of sorting, cleaning and repairing the Privy Seals at the Rolls Chapel, *Rep.* x.——Extent of repair, *Cooper* 1027——Have neither calendars nor index, *Cooper* 1081——All Privy Seals, warrants and signed bills from Henry VII., with chasms to the present time, are at the Rolls Chapel; any could be found, but not in such a state of arrangement as to be found immediately, *Palmer* 6232——Are nearly inaccessible, *Grimaldi* 6561; *Hardy* 6631.

Production of Records as Evidence. Fees of an inordinate amount are demanded for producing Records before the Two Houses of Parliament, *Rep.* xxv.

Production of works before the Committee. See *Publications*, 1.

Property. See *Conveyances.*

Protheroe, Edward. (Analysis of his Evidence.)—Member of the Record Commission, 1282——Private letter of witness concerning Records, which found its way into the British Museum, 1286——Order in which the Commission should proceed in forwarding the duties entrusted to it, 1293——Printing should have been made subordinate to arrangement, 1294——Present Board has not fulfilled its duties, 1297——Vain attempts of witness to bring the subject of arrangement before the Board, 1303——Proper course to be pursued if Record-keepers refused to allow copies for the Commission, 1308——Not aware that any obstacles were thrown in the way of the Commission by Record-keepers, 1307——Wrong plan pursued by the secretary, 1307–1309——Proper course taken by Mr. Petrie in refusing leave to copy without order of the Board, 1310——Mode of calling Boards practically in the hands of the secretary, 1312–1316, 1340——Instance in which the secretary refused to call a meeting of the Publication Committee, 1317——Office of secretary taken by Mr. Cooper, with the understanding that the business of the Commission was to be subordinate to the legal business, 1319, 1328–1331, 1340.

Mode of preparing the Agenda, entirely under the control of the secretary, 1321——Suppression of portion of a letter written by witness on the subject of an income of 500 *l.* being allowed to Mr. Caley, 1325——Unavailing attempts of witness to procure information of the expenditure of the Commission, 1331–1333, 1345——Misrepresentation of witness's proceedings by Mr. Cooper, caused his ceasing to interfere in the business of the Commission, 1347——Witness's statement concerning the Augmentation Office in no way exaggerated, it was as dirty as a chimney-sweeper's room, 1350——Filthy state of the Augmentation Office under Mr. Caley, 1351——Bad plan in which Records are bound by Mr. Caley, 1352——Want of arrangement, 1353——Employment of Mr. Cole, 1355——Superiority of his arrangement over Mr. Caley's, 1360–1365——Character of Mr. Gay, a respectable servant of the Commission, a good workman, but not fit for a Record-keeper, 1367——Evidence as to insecurity of Records from fire, 1369–1374——Exertions made to save the Records at the fire of the Houses of Parliament, 1373–1379.

Evidence as to mode of auditing and examining the accounts, 1361, 1381–1403, 1456–1458——System proposed by Mr. Rice for this purpose, 1385——Many items of expenditure became known at the audit of accounts, of which witness had no idea of the existence, 1396——Power of the secretary over the funds of the Commission, 1409–1411, 1415–1417, 1424——Steps taken by witness in order to get a better system of keeping and auditing the accounts, and to get for the Commission a more complete control over the expenditure of its own funds, 1425——Plan to be adopted in future as recommended by the Chancellor of the Exchequer, 1426–1433——Unwillingness of the secretary to keep the accounts in the way they ought to be kept, 1434——Difference in the accounts given in the Agenda, and in the returns made to Parliament, 1439–1443——Evidence as to salary of secretary, rents of houses in Boswell Court, and contingencies, 1444–1453——Regulations as to distribution of publications for public libraries by the Library Committee, 1459——Opinion of witness on the step taken of advertising to libraries to send for their amount of publications, 1464.

(Second Examination.) Further examination as to witness's attempt to obtain an analysis of the accounts, 1475—— Interview with Mr. N. Smith at the Treasury, 1475——Jobbing as to publication of former Commission, 1476——Advantage of more frequent intercourse between the Board and the Sub-commissioners, 1478——Estimates should be made and delivered in of cost of any new work to be undertaken, 1480.——Building which should be erected

Protheroe, Edward. (Analysis of his Evidence)—*continued.*

erected for Records, 1482——Extent to which printing should be carried; transcripts would not answer the purpose, 1485–1489——Difficulty of finding remuneration for individuals undertaking such works as Records on their own responsibility, 1490–1493——Great necessity of care being devoted to the safe custody of papers belonging to Ecclesiastical Courts having jurisdiction as to wills, 1495–1502——Inconvenience of appointing official persons Commissioners, though sometimes useful, 1503, 1508, 1516——Commission constituted as it is, can never be efficient, 1509–1511——A better Board would result from paid Commissioners, 1512–1515——With increased powers, 1517–1520.

Wrong done in giving Mr. Caley 500*l.* per ann., 1523–1529——Correspondence relating to the accounts with the Treasury and with Mr. Vincent, which were never submitted to the Board by Mr. Cooper, 1531——Evidence concerning the disputes and correspondence of Mr. Vincent and Mr. Cooper, 1532—— Selection of publications practically with the Secretary, 1540——Duty of the Commission as to publication, 1546——Publication of the Chancellor's Roll, 1548——Suppression of preface of Mr. Devon the secretary, being unfit for publication, 1548–1555, 1559——Business of the work transferred to Mr. Hunter, 1563——Rotuli Selecti entrusted, in the first place, to Mr. Devon, subsequently to Mr. Hunter, 1565——Evidence as to appointment of Sir H. Nicolas to edit the Privy Council books, 1569——Opinion on Sir F. Palgrave's Essay on the Authority of the Privy Council, 1575–1579, 1583——Nature of authority for printing vested in the Commission, 1583——No case in which the Board have suggested any work or edition, except one, subsequently withdrawn; this work edited by the secretary, 1592–1595.

Powers of the secretary in dismissing editors not sanctioned by the Board in the case of Mr. Hardy and Mr. Cole, 1598–1604——Witness's opinion that editors should not remain dependent on the secretary, 1598–1601——Opinion as to increase of Mr. Hunter's salary by authority of the secretary, 1601——Dissatisfaction of many gentlemen feeling themselves dependent on the secretary, 1604——Nature of dispute between secretary and Mr. Hardy, 1606, 1620——Causes of dismissal of Mr. Cole; cause of the stoppage of his work, 1606, 1607, 1613–1619, 1624——Comparison as to mode of conducting business by former and present Board, 1630, 1631——Dismissal of Mr. L. Bond, and cause thereof, 1632–1636——Evidence relating to the work called Histories of Britain, edited by Mr. Petrie, 1638——Evidence concerning Pipe Rolls, 1643——The Agenda is not a useful work, has been an injudicious compilation, 1646, 1648——Evidence as to a volume of miscellaneous Records proposed to be printed with the Agenda, 1654——Difficulty of access for the public to Records, 1661——Witness highly disapproves of editors being considered as clerks to the secretary, 1664–1669.

(Third Examination.) Further Examination as to mode of keeping accounts and expenditure of Commissioners; suppression of Analysis of Accounts drawn out by witness, 1965–1969, 1988——Questions the propriety of purchase of books with a view to a new edition of Rymer's Fœdera, 1990–2011, 2022——Evidence as to proposed publication of a volume of Appendix to the Agenda of miscellaneous Records of King's Remembrancer's Office, 2010–2021——Evidence as to power or right of Commission to print and publish any work but Records, 2031——Further evidence concerning the Rymer's Fœdera, 2049–2061——Employment of Mr. Masterton, at Lisbon, 2062——Employment of Mr. Roger Collard, 2065——Further Evidence concerning the Fœdera, 2070, 2080——Usefulness of Quarterly Reports, which should be published, 2081——Expenditure of funds on books to the extent of 1,500*l.*; purposes for which purchased, 2087.

Evidence concerning the dispute between the secretary and Mr. Cole, and the subsequent dismissal of the latter gentleman, 2091–2100——Evidence concerning the publication of a pamphlet of Mr. Cole's about the transference of Records to the King's Remembrancer, 2104–2108——Evidence as to the General Report, its printing without knowledge of the Commissioners 2109–2118, 2138–2140——Treatment of Mr. Cole as to his papers connected with the Report, 2123–2131——Salary of the secretary, emoluments, 2132——Dissatisfied with the mode of conducting the Commission, 2146–2148——Motion for re-instating Mr. Cole as a Sub-commissioner, 2149–2154——Commission not so effective as it might have been with even its present powers; not so effective as it would have been with increased authority, 2155——For a short time contemplated resignation of office as Commissioner, 2156.

(Fourth Examination.) Explanations of former Evidence as to Mr. Hunter's correspondence with Mr. Cole on the subject of his works, 3352, 3353.

(Fifth Examination.) Examination as to former Evidence.—Explanation of Mr. Cooper's remarks upon witness's evidence; as to Bishop of Llandaff; his explanation, 7640——Evidence concerning the production of Mr. Cooper's letter, 7641——Witness prevented from attending the Committee appointed to consider the claims of Mr. Hardy and Mr. Cole, owing to the dangerous illness of his father; it being stated that he had absented himself, 7641.

Protheroe, Mr. Additional note by him with reference to the Report of the Committee on Accounts appended to the joint Report thereon, *App. p.* 875——Observations by him, dated 2d Feb. 1836, on the document produced by Mr. Cooper to the Committee appointed by the Board to examine certain accounts, *App. p.* 874, 875——His notices for the Board on 23d Nov. 1833, *App. p.* 876, 877.

Prussia. Niebuhr has been anxious to procure from the Vatican manuscripts of all matters relating to Prussia, *Cooper* 2244.

Publications by Government. Many abstruse works should be published by Government; for example, Sir Isaac Newton's works could not be published as a speculation, *Rees* 5370.

Publication Committee. Instance in which the secretary refused to call a meeting of the Publication Committee, *Protheroe* 1317.

PUBLICATION OF RECORDS:

1. *Generally.*
2. *Value of the Works published to Authors.*
3. *Expense of Publications.*
4. *Sale of Publications of Commissioners.*
5. *Publications of former Boards alleged to be imperfect from want of arrangement in Record Offices.*
6. *Selection of Works generally.*
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8. *Papers laid before the Committee.*
   - i. Generally.
   - ii. Works printed, compiled and transcribed.
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   - iv. Sale of Publications.

1. *Generally.*

Duty of Commission as to publication, *Protheroe* 1546——Jobbing as to publications of former Commissions, *Protheroe* 1476——Selection of publications practically with the secretary, *Protheroe* 1540——Witness as Commissioner has not entirely known what works were going to make their appearance under the sanction of the Board, *Hallam* 6711——Publications being laid on the table of the Houses of Parliament and distributed to Members would give Parliament a cognizance of what was doing by the Commission, but the Reports should be referred to particular persons for examination, *Spence* 5840——It would be a great national loss if the objects of the Commission should be wholly swept away and abandoned, *Nichols* 5877——Books at present before Committee produced most reluctantly, being unfinished works, *Cooper* 3103.

Series of Reords should be published, but not selections, *Phillips* 7574——If Records were published with good indexes, calendars not necessary for the public, only useful to the offices, *Phillips* 7577——Value of making public the intention of the Commission to publish works of which any portion may be in private collections, *Hunter* 3252——Witness's opinion of the accuracy of the publications of Records as compared with similar works undertaken by private individuals, *Hunter* 6282——Works formerly not sufficiently examined and collated with the originals by the editors, *Phillips* 7516——Inaccuracies discovered by witness in the Taxatio of Pope Nicolas and the Testa de Neville, *Phillips* 7529——Some of the publications of the present Commission inaccurate, owing to the want of competence in editors, *Phillips* 7564.

2. *Value of the Works published to Authors.*

Witness has derived the greatest advantage from the publications of Commissioners of Records, *Benson* 4960; *Baines* 5387; *Ellis* 5542; *Taylor* 6154, 6155——Publication has been serviceable in advancing a knowledge of English law and jurisprudence, *Benson* 4964——Has examined works published by Commission, and considers them all of great utility, *Benson* 4968; *Baines* 5408——Witness has frequently made use of the publications of the Record Commission, *Gage* 4986; *Stapleton* 5140——Has found them of the greatest utility, *Gage* 4987——Eminently useful for the purposes of archæology, biography and genealogy, *Gage* 4991—Has found them of essential service in facilitating historical investigation, *Baines* 5387; *Stapleton* 5143——Publications of the first necessity as books of reference, *Gurney* 5082——Many of them of the greatest use to any one engaged in researches into the constitutional history of England, *Gurney* 5083; *Stapleton* 5153, 5154——Late works have been extremely accurate, *Stapleton* 5147——Great tendency to diffuse a knowledge of historical literature in the country, *Stapleton* 5153, 5154; *Gurney* 5222.

Many publications of great value, as an analysis of Records, *Baines* 5408——Witness has found the publications generally useful; those published by the new Board of greater utility than the old, *Madden* 5466; *Ellis* 5545——Works which have issued from the Commission reflect honour upon the nation, *Ellis* 5551——Publication of selections of Records interesting to the public would have an excellent effect in exciting historical curiosity, and directing it to proper sources, *Ellis* 5591——Value of the publications generally to persons who desire knowledge on subjects of constitutional or legal antiquities, *Spence* 5789–5791——Use of them indispensable to the topographer and antiquary who would publish a work with credit, *Nichols* 5844——Works published by the Record Commission, particularly the various valuations and taxations of ecclesiastical property are absolutely essential, *Wetherell* 5994, 5995——Witness could not have pursued his

PUBLICATION OF RECORDS:—2. *Value of the Works published to Authors*—continued.

his inquiries without them, *Taylor* 6155——Works generally of great utility in all branches of literature connected with subjects of antiquity, *Brayley* 6313——Cause of literature would suffer should publications be discontinued, *Brayley* 6365——Course of witness's legal inquiries, which has led him to attend to the importance of publications of Records of this and other countries, *Johnston* 5961——Extent to which witness considers the publication of Records ought to be carried, *Hunter* 6305, 6306——No doubt whatever the ends of justice have been furthered by these publications, *Grimaldi* 6511——Publications of Commission extremely creditable to the country, *Spankie* 7446——Publication of Records desirable to many classes of persons, *Hallam* 7638——Publication of Records very instructive to persons desirous of knowing what the original institutions of the country are, *Alderson* 7672——Speaking generally of the publications of the Record Commission, they are of a highly respectable character, and cannot fail to be a great benefit to the country, *Sugden* 8036——Value of the publications of the Commission in making searches, and general use, *Merewether* 8043, 8054, 8056——Publications creditable to the Commission, *Merivale* 5718.

3. *Expense of Publications.*

Supposed amount which the Commission has cost; portions of its publications which must have been undertaken had it not existed, *Cooper* 2824——Most economical way of publishing Records would be to submit them to publishers by tender, having them ready for press, *Sweet* 6072——General style of the publications expensive; splendour considered more than utility, *Sweet* 6075——Evidence as to expensive manner in which the publications are offered to the public; price demanded for witness's General Introduction to the Patent Rolls, *Hardy* 6093; *Phillips* 7557——Utterly hopeless to look to individuals, in the present state of literature in this country, for publication of historical documents; can only be done by Government, *Nicolas* 3950——To secure to learned men the benefit of most authentic documents, such works as the publications of the Record Commission should certainly be printed at the public expense, *Rees* 5363——Government should print and give them away, or sell them at a reasonable price, *Rees* 5367——The great utility of the work would be sufficient to justify the expense in which the nation has been involved, *Nichols* 5861.

Evidence concerning expense and value of many of the publications, *Nichols* 5862——A portion of the public money could not be more judiciously employed than on the subjects generally of the Record Commission, *Nichols* 5874; *Brayley* 6369——Publications of the nature of Records should be undertaken at the public expense, *Wetherell* 6021; *Grimaldi* 6513——Works of the description of statutes could not be undertaken under any other than a government sanction, and at a public expense, *Stephen* 6772; *Spankie* 7442; *Merivale* 5705, 5710——Absolutely necessary that Government should undertake, at the public expense, the publication of Records, *Phillips* 7515——Expenditure on such works expedient, *Hallam* 7582——A due share of the public money cannot be better expended than in preserving and rendering accessible the ancient documents of the country, *Kempe* 6188——Without the encouragement of Government, and aid of the public purse, the work could not have been undertaken, *Kempe* 6191——They cannot be printed except at the public expense, *Merewether* 8057.

4. *Sale of Publications of Commissioners.*

Publications of the Record Commission sold by Messrs. Baldwin and Cradock, 1831–1835, *Cooper* 1026——Committee appointed to consider of the best mode of disposing of the stock of publications of the Board, *Cooper* 7702——Witness knows nothing of the proceedings of the Committee, except what appears from the minutes of the Board, *Cooper* 7703——Witness would be sorry to hear there was any demand for sale of the publications of the Board; reasons for this opinion, *Cooper* 1911, 1912——Evidence as to expensive manner in which publications are offered to the public, *Phillips* 7557——Price demanded for witness's Preface to the Patent Rolls, *Hardy* 6093.

5. *Publications of former Commission alleged to be imperfect, from want of arrangement in Record Offices.*

Publications of the Record Commission which are imperfect, from want of proper arrangement in the Record Offices, viz.

Fœdera, Rymer,	Patent Rolls,
Inquisitiones post Mortem,	Taxation of Pope Nicolas,
Nonæ Rolls,	Testa de Neville,
Parliamentary Writs,	Valor Ecclesiasticus, *Cole* 4762.

Charge of that kind of imperfection, which is to be remedied by more extended searches in the various offices, against the publications of the Board, examined, *Cooper* 8108; *App. p.* 744, 745.

6. *Selection of Works generally.*

List of works produced by the old Commission, 1826–1830; list of works produced by the present Commission, 1831–1835; handed in by secretary, *Cooper* 7868——Witness declines giving any opinion on publications of Commission, not having examined them sufficiently to form a notion of their value, *Petrie* 3518——Witness does not think

Publication of Records:—6. *Selection of Works generally*—continued.

that the Commissions since 1800 have been judicious in their selection of the works they have published, *Nicolas* 3981, 3982——Difficult task for the Commissioners to exercise its judgment upon the publication of original materials in its possession, *Tytler* 4256——Selections made for publication the most judicious possible, *Stapleton* 5144——Commission has acted wisely in its selection, *Bruce* 5882.

Has exercised a sound discretion in its choice of publications, *Palgrave* 5266——Selections have been judiciously made, *Gage* 4990; *Baines* 5385, 5416; *Ellis* 5543——Taking the publications altogether, they disclose a mass of information unrivalled in literature, as a collection of documents illustrating the history of the country, *Palgrave* 5265——Witness's opinion of the selection made by the Commission for publication, *Taylor* 6161——Upon the whole, publications judiciously selected, *Taylor* 6172——Witness considers the selection of documents for publication has been judicious by the different Record Commissions, with the exception of Rymer's Fœdera, *Hunter* 6267–6269——Those already printed by the Record Board contain very valuable information, *Lingard, App. Q.* 3, *p.* 730; *Southey, App. Q.* 3, *p.* 731.

7. *Of the present Commission in particular.*

Publications of the present Commission, in many instances, been conducted without any regard to public utility, *Nicolas* 4233——Proceedings under the present Commission a great improvement upon proceedings of the former Commission, *Bruce* 5895——Works published by the new Board of greater utility than those published by the old, *Madden* 5466; *Ellis* 5545——Reasons why witness considers that the present proceedings of the Commissioners are conducted in a vastly more useful and economical, and proper system than they originally were, *Taylor* 6170——Works executed under former Commission, in many instances, indifferently performed; works executed under the present Commission, with few exceptions, well performed, *Grimaldi* 6524——Works issued under present Commission more creditable as to usefulness and accuracy than those issued by former Commissions, *Beltz* 6708——There has been a material improvement in the publications issuing under the authority of the present Commission, *Gage* 4992; *Stapleton* 5146; *Phillips* 7529.

Majority of the works of the present Commission far superior to those of the former Commission, *Phillips* 7565; *Merivale* 6390——Value of Pipe Rolls, Patent Rolls and Close Rolls, *Gage* 4993——Late works have been extremely accurate, *Stapleton* 5147——Superiority to be ascribed to the experience of those engaged in superintendence, *Merivale* 6390——Publication of the present Commission, with one or two exceptions, extremely valuable, *Hodgson* 3384——The accuracy and typographical execution of works published under the authority of the present Board are highly creditable to the parties employed; no works have been published with more clearness of arrangement and neatness of execution *Nichols* 5871——Publications of the present Board have, generally speaking, been within the estimate, except in some few instances, when great alterations were made by editors, *Allen* 7399.

7. *Accounts laid before the Committee.*

i. Generally.

Return showing the titles of all works, and number of volumes printed since March 1831, whether completed or in progress, including specimens of works, number of copies of each work printed; date when such work, or volume of work, was first put in type; copy order, authorizing the commencement of each work; distinguishing the expenses of corrections, &c. *App. p.* 816, 817——Suggestions as to the future publication of Records, *Lingard, App. Q.* 19. *p.* 731.

ii. Works printed, compiled and transcribed.

List of works printed, compiled and transcribed under the direction of the Record Board, since March 1831, and also of those now in progress, *App. p.* 781–783.

iii. Expense, cost, and number sold.

Particulars of the expense attending the publication of certain works under the Record Board, from Setember 1827 to March 1830, *App. p.* 809–811——Similar account from November 1827 to April 1830, *App. p.* 811, 812.——Cost of some of the principal works published by the present Board, distinguishing what was paid for printing, paper, transcription, compilation and editorship, *App. p.* 776–779——Return of the publications of the Record Commission, from March 1831 to December 1835, with the number sold, amount at retail price, and sum produced, *App. p.* 818.

See also *Agenda. America. Anglo Saxon Laws. Booksellers. Calendars. Distribution of Publications. Ellis,* Sir *H. Genealogical Inquiries. Historical Inquiries. Legal Inquiries. Library Committee. Prefaces. Presents. Price of Publications. Printing. Re-printing. Topography. Waste Paper. Welsh Laws.*

Public and Private Documents. See *Cornwall, Duchy of,* 3. *Lancaster, Duchy of,* 4.

Q.

Quarterly Reports. Utility of Quarterly Reports from the different Record Offices, which should be published, *Protheroe* 2081.——Wish of witness for the production of, with correct statements of work done, and details of agreements with editors, *Protheroe* 2148 ——Periodical reports made by editors and Sub-commissioner, *Cooper* 7732.

Quarterly Review. Evidence concerning the printing Sir F. Palgrave's work on Origin of Equitable Jurisdiction, *Cooper* 2644.

See also *Reports.*

Quo Warranto Rolls. Was complete in itself; sold as waste paper, *Rep. p.* xxxvi.

R.

Rats. Six or seven perfect skeletons of rats, the bones of others, and many live ones, which a dog was employed to hunt, were found on the removal of Records from Westminster Hall, *Rep.* xiv.——Skeletons of rats and cat found among the miscellaneous Records of the Exchequer in sorting and removing them, *Cooper* 1222; *Cole* 4590, 4591.

Re Disseisin Rolls. To what extent there are indexes or calendars to these Rolls, *Cooper* 1081.

Real Property, Scotland. No deed affecting real property in Scotland is effectual against third parties without being registered within a limited time, *Thomson* 3757*.

Receipts and Expenditure. Amount received by former Commissions of which there is no trace, *Rep. p.* xxxii.——Return of the receipts and disbursements of the Record Commission, from the 12th March 1833 to 31st December 1835, showing the dates of the chief payments, the mode in which the last Parliamentary grant has been expended, the liabilities of the Commission, and the cost of the principal works; also the names of the Sub-commissioners, editors, clerks, transcribers, workmen, and others in the employ of the Commission, and a statement of their salaries or other remuneration; a list of the chief works published, printed, compiled, or transcribed since 12th March 1831; a list of the libraries and other repositories, at home and abroad, to which its publications in the whole or in great part, have been presented by his Majesty; and a catalogue of the books purchased for the use of the Commission, *App. p.* 766.

Account of the sums of money received by the Commissioners of Public Records from the date of the present Commission, being the 12th March 1831, to the 1st August 1833, and of the manner in which such monies have been expended, *App. p.* 755–765——Return of the receipts and disbursements of the Record Commission for the period between the 30th April 1830 and 31 March 1831; also of all debts and liabilities of the Record Commission in March 1831, specifying, as far as can be now done, the nature and amount of each, the parties to whom due, and the date when contracted, *App. p.* 753–755——Receipts of the present Record Board for the years 1831 to 1835 inclusive, *App. p.* 750——Receipts of the old Record Board for the years 1826 to 1830 inclusive, *App. p.* 750——Analysis of the Record Commission disbursements, from 12th March 1831 to 12th March 1832, made with reference to the returns to Parliament of December 1833, *App. p.* 751, 752.

See also *Accounts. Cooper,* Mr. *Debts and Liabilities. Expenditure. Finance.*

Record Keepers. See *Agents. Custody of Records. Keepers of Records. Rolls.*

Record Commission. See *Accounts. Authority of the Board. Board of Commissioners. Bookkeeping. Booksellers. Buildings. Calendars. Clerks and Transcribers. Commission. Committees. Constitution of Commission. Debts. Distribution of Records. Editors. Estimates. Expenditure. King's Printer. Library Committee. Libraries. Memorials. Printing. Publication Committee. Publications. Receipt and Expenditure. Records. Secretary. Sub-commissioners.*

Record Offices. Present Commission empowered to inquire into the duties and salaries, &c., of officers, &c., and into reforms necessary in the Record Offices, *Rep.* v.——Object of the Commission confined principally to offices where there are Records of ancient date, more than to the Courts of Justice Records, *Rep.* viii.——Extracts from Reports of Commissions in 1812 and 1819, relative thereto; also extract from the Bishop of Llandaff's printed letter, *Rep.* xxiii.——Extracts from Report of 1800, and of the ancient ones of 1719 and 1732 on the same subject, *Rep.* xxiv.——A Committee on the subject contemplated by the Board in 1832, but not appointed, *Rep.* xxiv.——Unsatisfactory state thereof, *Rep. p.* xxvii.——Offices of public Records which come within the scope of the present Commission, *Cooper* 242——Returns from, entrusted by Commissioners to witness to arrange for Appendix to the Report, *Hunter* 3276——Steps taken by Commissioners to obtain accurate knowledge of the state of the officers' fees, and emoluments of the various offices in which Records are deposited, *Cooper* 342.

In 1833 a survey was made of the different depositories for Records, by certain members of the Record Commission; their Report to the Treasury, *Cooper* 7717—— Statement laid before the Committee of the state of the principal Record depositories,

and the measures taken by the Board for preserving the Records and rendering the use of them more convenient to the public, *Cooper p.* 180.

See also *Admiralty. Augmentation Office. Bankruptcy Court. Chapter House. Chancery. College of Arms. Common Pleas. Courts of Law. Cornwall, Duchy of. Crown Office, Edinburgh. Ecclesiastical Courts. First-Fruits Office. General Record Office. House of Commons. King's Bench. King's Remembrancer. Lancaster, Duchy of. Land Revenue. Literary Searches. Lord Treasurer's Remembrancer. Parliament Office. Petty Bag Office. Pell Office. Pipe Office. Prerogative Court. Records. Registrar. Chancery Report Office. Rolls Chapel. Six Clerks Office. State Paper Office. Tower.*

Records:

1. *Access to Records.*
2. *Arrangement of Records.*
3. *Dispersion of, in various Offices.*
4. *Removal of, and Injury sustained.*
5. *Sale of Public Records as private property.*
6. *Papers laid before the Committee.*

1. *Access to Records.*

Committee's views of the value of the public Records for different public purposes, *Rep.* iii.——Suggestions for the legal custody thereof being in the Board, *Rep.* xl. ——Great importance to the public that ready access should be obtained to Records, *Hewlett* 536——Not easy of access in their present deposits, *Hewlett* 540, 755——Difficulty of access to the public, *Protheroe* 1661——Evidence as to intention of Commission in affording facilities to historical, antiquarian, or legal inquiries, *Cooper* 1791–1800——Searchers have a right to complain of the want of personal access to indexes, heavy charges for searches, and expense of transcripts, *Parkes* 4376——Much litigation might be spared if ready access were afforded to all Records, *Parkes* 4383——General access to national Records is most important to literary undertakings, *Kempe* 6191——Considerable expense and hazard in making a search for documents in Record Offices, *Wetherell* 6001——Has not met with complaints of want of access, or difficulties in searching, or impediment of any sort, *Sugden* 7991——Large sums are paid to get ancient Records searched for, examined, &c., *Lyndhurst*, Lord, 8200——Has heard statements made that expenses are very heavy, *Lyndhurst*, Lord, 8201–8203.

See also *Augmentation Office. Chancery. Chapter House. Courts of Law. Cornwall, Duchy of. Fees. King's Remembrancer. Lancaster, Duchy of. Land Revenue. Pell Office. Petty Bag Office. Pipe Office. State Paper Office. Tower.*

2. *Arrangement of Records.*

Commission has no power to effect it, *Cooper* 439——List of offices which might demand participation in the funds of the Commission, *Cooper* 1823——Committee appointed to inspect certain sorting and calendaring operation, *Cooper* 7726——Offices in which are Records of the highest historical and legal value, *Cooper* 143——Arrangement of Records neglected, *Protheroe* 1296——Vain attempt of witness to bring the subject of arrangement before the Commissioners, *Protheroe* 1303——Different mode of arranging requisite for different classes of Records, same reasons applicable to the formation of calendars and indexes, *Cole* 4843.

Survey made of the Record deposits by certain members of the Commission; their report to the Treasury, *Cooper* 7717——Witness does not know who drew up the report, *Cooper* 7720——Great advantage to the public if a larger portion of the funds were devoted to arrangement and making calendars, *Hodgson* 3384——Even for literary purposes the first object is the good arrangement and indexing the Records, *Hodgson* 3385——Evidence as to whether printing or calendaring, indexing and arranging should have the greatest portion of the funds and attention of the Commission, *Cooper* 136, 7807, 7808; *Protheroe* 1249, 1485–1489, 2055; *Hunter* 3186–3190, 3252, 3254–3256; *Hodgson* 3384; *Tytler* 4279; *Gage* 5077; *Gurney* 5232; *Nichols* 5874; *Grimaldi* 6551; *Phillips* 7518——Assistance given by Commissioners in repairing and binding Inquisitiones Post Mortem, at the Rolls, *Cooper* 7758——Assistance and superintendence necessary in effecting the repairs at different offices, *Cooper* 7764–7767.

3. *Dispersion of, in various Offices.*

Evils of Records being in the custody of many different persons, so as to render it almost impossible to know who has the right of access to them, or where they are to be found, *Rep.* xxvi——Lie at present dispersed in different parts, unsorted, *Hewlett* 537——Search of witness, and evidence discovered among unsorted Records, *Illingworth* 941——Documents relating to the manor of Tywarnhale, Cornwall, found among Pipe Records, *Cole* 4773——Instance of a deed identifying the property of the Duchy of Cornwall, being found in the Exchequer, among documents with which it had no connexion, *Wetherell* 6004——Inconvenience of Records of the same class having different deposits; convenient if the entire collection of a class could be placed in one office, *Wetherell* 6030, 6031——Difficulty of ascertaining the place of deposit of Records, *Vice Chancellor* 6666–6669——Distribution of Records in various parts of London inconvenient to inquirers, either for

Records—3. *Dispersion of, in various Offices*--continued.

for literary or legal purposes, *Phillips* 7491——Distribution of Records of the same class in various offices, *Cole* 4762.

Inquisitiones post Mortem. In the Tower, Exchequer, Roll Chapel and Chapter House, *Cole* 4762.

Minister's Accounts. In all the offices witness has ever had any thing to do with, *Cole* 4762.

Parliament Rolls. In the Chapter House, Tower and King's Remembrancer's, *Cole* 4762.

Parliamentary Surveys. In Augmentation Office, Lambeth Palace, Rolls Chapel and Tower, *Cole* 4762.

Patent Rolls. In the Tower, Roll's Chapel and Chapter House, *Cole* 4762.

Pipe Rolls. In Chapter House, Pipe Office, Tower and Pell Office, *Cole* 4762.

Rotuli Scotiæ, in Chapter House and Tower, *Cole*, 4762.

Valor Ecclesiasticus, in First Fruits Office and Chapter House, *Cole* 4762.

Wardrobe Accounts, in the Tower, Chapter House, Exchequer and British Museum, *Cole* 4762.

Statement respecting documents discovered at the King's Remembrancer's, since the publication of the several works in which they should have been inserted, *Cole* 7911——Paper intituled "Charge of that kind of imperfection which is to be remedied by more extended search in the various offices against the publications of the Board," examined, *Cooper* 8108; *App. p.* 744, 745.

4. *Removal of, and Injury sustained.*

Large masses of Records removed since the existence of the Commission to improper situations, without superintendence, and causing confusion and loss, *Rep.* vii.——The migration of Records formerly in Westminster Hall have cost as much as would have sufficed to have built an excellent general Record Office, *Rep.* xiv.——Exertions of witness to prevent removal of Records to improper places for copying; general success of his endeavour, *Vincent* 1720——Bad practice of allowing Records to be removed from their deposit; officers remove them for their own purposes, *Illingworth* 883–891——Removal of Records to private residences at King's Remembrancer's Office, in spite of repeated orders of court, *Cooper* 1235——Evil consequences of the careless removal of Records, *Illingworth* 933–938; *Cole* 4453——Evidence as to removal of Records to Boswell Court, *Vincent* 1730——Steps taken as to alleged removal of Records to private residences, *Cooper* 2157——Witness of opinion that the Record Commission was bound to take care of the Records in their removal, particularly those the arrangement of which had been perfected at their expense, *Cole* 4448–4450——Damage sustained by Records in their removal to, and during their deposit in, Westminster Hall, *Cole* 4454, 4456–4462——Superintendence under which Records were moved in 1831, by Mr. Adlington, when as much care was taken as could be in sending them to the King's Mews, *Cole* 4464–4469——Loss of Records at various removals, *Cole* 4435–4446——Committee appointed to consider expediency of removal of Records, *Cooper* 7708——Many Records lost at the transfer from Court of Exchequer to Westminster Hall, *Phillips* 7550.

5. *Sale of Public Records as Private Property.*

Evidence as to Records sold at private sales as property; steps taken by the Board in consequence of the loss; they were from the Miscellaneous Records of King's Remembrancer, *Rep.* xxvii.; *Cooper* 2157——Evidence concerning the supposed sale of Records belonging to the Exchequer, *Vincent* 1722–1724; *Cole* 4649–4657——Examination as to sale of Records at Mr. Craven Ord's sale, *Vincent* 1751——Purchase by a labourer of an apron full of Records for 5*s.*, now deposited in the Augmentation Office, *Cole* 4452——Purchase of Records by Mr. Stevenson, *Cole* 4925——Evidence as to sale and removal of Records from place of deposit, *Cole* 4926–4945——Works of the Commission purchased as waste paper by a grocer at Holbeach, *Morton* 5236——Who purchased them in Aldgate of a stationer, who bought them of Messrs. Baldwin and Cradock, *Morton* 5243–5248——Witness has seen exposed for sale at Mr. Rodd's, an extremely magnificent Roll of the revenues of the Crown, during the existence of the Augmentation Court at Mr. Rodd's the bookseller, *Cole* 4926——Evidence as to Records before the Committee, purchased by Mr. Stevenson, being public Records, *Cole* 4926–4943; *Hunter* 4944.

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See also *Booksellers. Bristol. Chancery Records. Custody of Records. Destruction of Records. Distribution of Publications. Early Records. Ecclesiastical Records. Foreign Collection. General Record Office. Historical Inquiries. Keepers of Records. King's Printer. Legal Inquiries. Libraries. National Archives. Preservation of Records. Private Records. Printing. Publication. Suspended Works. Topography. Transfer of Records.*

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Records, Scotland. They are kept in a commodious and safe building, in a state of perfect arrangement, *Rep.* xxxvi.——Great pains and expense by the late Commission in putting Records in Scotland in a better condition when in a decayed state, *Thomson* 3809*——Present Commission done nothing but pay arrears, nor could they do any thing in the way of transcription, *Thomson* 3811*——Objects as regards Records in Scotland, in which the aid of the Commission is necessary at the present time, *Thomson* 3829.*
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Red Book. Important to have parts of the Red Book of the Exchequer printed, *Taylor* 6172.

Rees, Owen. (Analysis of his Evidence.)—In partnership with Mr. Longman between 30 and 40 years, 5327——Publications of the nature of those of the Record Commission could never be conducted either by an individual or by any combination of booksellers with any prospect of profit, 5328, 5329——Price placed on the state papers not a remunerating price, 5330——Not so great a demand for collections of documents as formerly, the public look more to books of interest not books of reference, 5337——Eagerness of the public for original documents on which history is founded, is considerably less than it was at any former period, 5342–5344——Publication of the Chronicles, Holinshed, &c., by Messrs. Longman; reasons for discontinuance, 5334–5347——Works which have most ready sale are more popular works; witness would rather publish Mrs. Somerville's work on the Mecanique Cœleste than La Place's work itself, 5353, 5354–5357——To secure to learned men the benefit of most authentic documents, such works as the publications of the Record Commission should certainly be printed at the public expense, 5363——Government should print them and give them away or sell them at a reasonable price, 5367——Many abstruse works should be published by Government, Sir I. Newton's works, for example, 5370——Evidence concerning State Paper Office publications, 5371——Expense of printing greatly increased when contractions, or foreign languages, 5376–5383——Extract from Mr. Babbage's statements of expenses of printing his Œconomy of Manufactures, 5384.

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Register of the Great Seal, Scotland. This work, published under witness's superintendence, begun many years ago, *Thomson* 3821*, 3822*——This work fell under the suspension of the Board, 1831; carried on by Mr. Pitcairn; admission of his claim to remuneration, *Thomson* 3823*——No part printed, except a few sheets for specimen, *Thomson* 3827*——Assistance of Commission wanting to complete this work, *Thomson* 3830*.

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Remuneration. Some editors paid by salary, some by piece-work, *Cooper* 2852——Sir F. Palgrave and Mr. Hunter by salary, *Cooper* 2853, 2888——Sir H. Nicolas and Mr. Hardy by the volume or sheet, *Cooper* 2853——Mr. Black has a salary, *Cooper* 2854——Evidence as to different scales of remuneration by different editors, *Cooper* 2906–2965——Remuneration of Sir F. Palgrave, as editor and keeper of the Chapter House, *Cooper* 2861——Remuneration of Mr. Pitcairn, *Thomson* 3823——General rate of remuneration not applicable to every case, *Cooper* 1890——Usual remuneration 150*l.* for an octavo volume, and for a folio volume 2*l.* 2*s.* per sheet, *Cooper* 1890, 2705——Rate paid Sir H. Ellis for editing, *Cooper* 1885, 2918——Rate paid to Sir H. Nicolas, *Cooper* 1886, 2909——Editors and transcribers have certainly not been overpaid, *Cooper* 1826——To persons employed on the Fœdera, *Protheroe* 2079——Disputes between Mr. Cole and Mr. Cooper as to remuneration, *Protheroe* 2091——Less remuneration paid Mr. Cole than other editors, *Cooper* 2702——Remuneration to Mr. Stevenson, *Cooper* 2942; *Stevenson*

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3745——Remuneration of Mr. Owen, *Cooper* 2857——Remuneration of Mr. Sharpe, *Cooper* 2857.

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Returns to Parliament. Report of Committee respecting discrepancies between the returns made to Parliament and the real expenditure of the Commission, handed in by witness, *Protheroe* 1965——Not laid before Commissioners before they were presented to Parliament, *Protheroe* 1386, 1966——Examination concerning the various items, *Protheroe* 1436, 1967——Secretary the responsible person for returns to Parliament, *Cooper* 2245——Never been the usage that returns to Parliament should be submitted to or approved by the Board, *Cooper* 2247——Commissioners not in the least answerable for inaccuracies, *Cooper* 2257——Report of the Bishop of Llandaff and Mr. Protheroe on the inaccuracy of Parliamentary Returns, *App. p.* 874.

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Rodd, Mr. Has a Record now on sale, an extremely magnificent Roll of the Revenues of the Crown during the existence of the Augmentation Court, *Cole* 4926.

Rogers, James. (Analysis of his Evidence.)—Brother to the attorney for St. Margaret's in the trial of Burrell *v.* Nicholson, 995——For trying the parochiality of Richmond Terrace, 996——Evidence as to having taken a copy of the Record of a trial of a similar nature as to the Duke of Portland, 997——From the case being cut off the file to copy, the solicitor on the other side could not procure a copy, 1008——Record subsequently discovered upon a wrong file, 1014, 1021——A reported case where a plaintiff was nonsuited, in consequence of examining the Record at the office of the Record Keeper instead of at the Treasury, 1022.

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Rolls Chapel:

1. *Arrangement of Records.*
2. *Inconvenient as a Deposit for Records.*
3. *Custody of Records.*
4. *Fees.*
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1. *Arrangement of Records.*

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2. *Inconvenient as a Deposit for Records.*

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3. *Custody of Records.*

Records here are deposited in a chapel where divine service is performed, *Rep.* viii.——Keeper of the Records holds his office for life, and receives no salary, *Cooper* 385——Are in the care of Mr. Leach, the keeper, *Langdale,* Lord, 4478——Does not know the mode in which officers of the Rolls find Records, but always receives them immediately, *Boteler* 6118——Mr. Leach is keeper of the Records appointed by Sir J. Leach, *Cooper* 282——At the Rolls, conduct of those in custody amounts to denial of justice, *Grimaldi* 6529.

4. *Fees.*

Five guineas the fee paid for consulting private calendars, *Cooper* 339——Amount of fees not altered at the Rolls Office; Commissioners not possessed of power to lower them, *Cooper* 350——Fees paid at the Rolls Chapel, *Hewlett* 678, 701–706——Witness often searched at the Rolls Chapel for literary purposes, but found no disposition to give up fees, *Hodson* 3377——Fees at the Rolls Chapel are in some instances too high, and in others moderate, as compared with the Tower, *Hardy* 3628——Great grievance in searching is the expense, *Parkes* 4380——Fee for examining an Inquisitio post Mortem is 6*s.* 8*d.*

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6*s.* 8*d.*, *Palmer* 6215——The fees customary and recommended to be allowed by Commissioners for examining into duties of officers of courts of justice, *Palmer* 6216——Fee charged for examining the indexes, *Palmer* 6219——Indexes are the property of the public on payment of fees, *Palmer* 6220——On a proper introduction, literary inquirers allowed to search without payment of fees, *Palmer* 6225; *Grimaldi* 6537——Names of several persons who have used the Records without payment of fees, *Palmer* 6227——Inconvenience of fees at the Rolls, *Grimaldi* 6532, 6533; *Hardy* 6633——Gentlemen connected with literature should have the same facilities as to fees at the Rolls Chapel as at other offices, *Gage* 5009——Witness has found the greatest difficulty of access at the Rolls on account of the extremely high fees, *Phillips* 7506.

5. *Indexes.*

Defective state of the calendars and indexes, *Rep.* xxi. *Cooper* 330; *Hodgson* 3361–3363; *Grimaldi* 6565——Great grievance in searching Records is the expense; great facility with regard to time in discovering documents at the Rolls Chapel, *Parkes* 4380——Searches made by means of calendars and indexes partly belonging to the office, partly the property of private individuals, *Langdale*, Lord, 4486——Parties not allowed to make memorandums, *Rep.* xxv.——Greatest benefit the Commission could confer would be the purchase and completion of the calendars to documents in the Rolls Chapel, *Hodgson* 3371——Board have endeavoured to obtain private indexes; they have not been purchased, *Rep.* xxi.——Calendars not so good as could be wished; evils could be remedied if private indexes were purchased by the public, *Hardy* 3629——Some public calendars which do not give the information wanted, *Grimaldi* 6566——Evidence as to extent the expense of preserving the Records and keeping indexes should be borne by the public, *Langdale*, Lord, 4487–4495——Want of indexes and calendars for the use of the public, *Gage* 5044——At the Rolls Chapel the officers can find Records without difficulty, certain data being given, *Boteler* 6113——Evidence concerning indexes at Rolls, *Merivale* 5166——Upon describing the nature of an instrument, and giving the names of the parties and the dates, any Records can be produced immediately, *Palmer* 6211, 6230, 6250——The office indexes contain only the names of persons, which gives inconvenience to parties not being provided with names and dates, *Palmer* 6213——Fee charged for examining indexes, *Palmer* 6219——The indexes are the property of the public on payment of fees, *Palmer* 6220——At the Rolls the conduct of those in charge amounts to a denial of justice, *Grimaldi* 6529——Evil arising from the want of public right to inspect indexes and calendars, *Grimaldi* 6532–6536.

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Expenses of sorting, cleaning, arranging, repairing and binding the Records at the Rolls Chapel, *App. p.* 771——Letter from Mr. Cooper to the Right hon. the Chancellor of the Exchequer respecting the removal of the Records deposited in the King's Bench Record Office to the Rolls Chapel, *App. p.* 861, 862,

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Rolls Court. Reserved space which should be applied to building a new court and offices in any arrangement to be made about the Rolls estate, *Rep.* xxxix. *Langdale*, Lord, 4505——The Rolls estate offers as convenient a spot as could be selected, *Lyndhurst*, Lord, 8217——Proposed appropriation of the Rolls House to the reception of Records, *App. p.* 861.

Rolls House. Present state of the Rolls House; arrangements made by Sir J. Leach; proposed that the house and garden should be left out of the patent on the appointment of the present Master of the Rolls, but believed to be illegal by the Attorney-general, *Langdale*, Lord, 4501.

Rolls, Master of. Want of time from the duties of his court renders it impossible for him to attend Board meetings, *Rep.* xxxviii——Payment of the Master of the Rolls connected with the rents of the Rolls estate, *Langdale*, Lord, 4509——Probability that formerly the Master of the Rolls at his official residence had personal care of the Records; this protection entirely lost by the arrangements that have been made, *Langdale*, Lord, 4508——Loss of residence to the Master of the Rolls, if Record Office built on Rolls estate, no inconvenience whatever, *Langdale*, Lord, 4516-4518.

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Rolls of Parliament. Are to be found at the Chapter House, Tower, and King's Remembrancer's, *Cole* 4762——Rolls have been found which would have been included, if known, in that publication, *Cole* 7911.

Roman Law. A good knowledge of the Roman law is of great importance to English law, *Alderson* 7663.

Roman Rolls. Have only a very defective calendar, *Cooper* 1081.

Rotulus de Dominabus. Manner in which this roll is described in Mr. Cole's Catalogue, *Hunter* 3307; *Cole* 4616.

Rotuli Scotiæ. Witness has found the Rotuli Scotiæ of very valuable assistance in his History of Scotland, *Tytler p.* 572——Are to be found in Chapter House and Tower, *Cole* 4762.

Rotuli Selecti. Entrusted in the first place to Mr. Devon, subsequently to Mr. Hunter, *Rep.* xxx. *Protheroe* 1565——Evidence concerning editorship of the Rotuli Selecti; Mr. Hunter's

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corrections of Mr. Devon's work, *Rep.* xxix. *Cooper* 1897, 1910; *Hunter* 3345, 6296——Examination on evidence alleging the printing of one of the Rotuli Selecti at witness's expense, which was not the case, *Hardy* 3678, 3679; *Hunter* 6301——Not accurate, but deficiencies supplied by a valuable errata, *Stapleton* 5196——Opinion of witness as to the bad printing and editing of the Rotuli Selecti; both handed to witness for inspection by the Committee, *Sweet* 6076——Examinations concerning alleged inaccuracies in the printed copy of the Rotuli Selecti, *Hunter, Cole* and *Hardy* 7946.

Sum paid by the present Board for paper, printing, transcription, compilation and editorship of this work, *App. p.* 777.

Rotuli Curiæ Regis. See *Curiæ Regis.*

Rotuli Literarum Clausarum. See *Close Rolls.*

Rotuli Literarum Patentium. See *Patent Rolls.*

Rotuli Normanniæ. See *Norman Rolls.*

Rotuli de Oblatis. See *Oblata Roll.*

Rotulus Cancellarii. See *Chancellor's Roll.*

Rouen. Search made by witness among the archives at Rouen; no difficulty of access, but want of arrangement; nor have they any catalogue, *Stapleton* 5149, 5161.

Rowe v. Brenton. Conduct of witness in this case as to payment of copy money, *Illingworth* 917——Distinction in the case of Rowe *v.* Brenton as to private and public documents, *Abbot* 3020——Instance in the case of Rowe *v.* Brenton in which documents relating to the private property were received in evidence, *Cole* 4749.

Roworth and Son, Messrs. Sum paid them for printing certain Reports for the Record Commission, between September 1833 and August 1835, *App. p.* 768——Sum paid them for binding various works printed by them for the Commission, *App. p.* 768.

Royal Archives, Paris. Access gained by witness to the royal archives preserved at the Hotel Soubise; papers transcribed forming Appendix (D.) to the new edition of the Fœdera, *Cooper* 2181.

Royal Archives, Portugal. Documents found in the royal archives in Torre do Tombo at Lisbon, *Cooper p.* 185.

Royal Charters, Duchy of Lancaster. The officers of the duchy are making a register of royal charters, *Danvers* 7210–7216.

Royal Library, France. Has an Ecole de Chartes attached to it, where young men are instructed in reading documents and the antiquated dialects of France, *Garnier* 4092.

Royal Letters and State Papers. Suggestions relative to State Papers that should be published, *Rep.* xlii——These Records have neither calendar nor index, *Cooper* 1081.

Royal Printing Office, France. Possesses alphabets of all languages; assistance given to persons in publishing works, *Garnier* 4084——Mons. Thiery's work on the Conquest by Normans, printed by government, *Garnier* 4084——Mons. Monteil's work, Histoire des Francais du divers Etats, printed by government, *Garnier* 4084.

Rymer's Collectanea. The transcripts from this work in the Museum are the only transcripts made in any quantity, *Rep.* xxix.

Rymer's Fœdera:

1. *Generally.*
2. *Appendix.*
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1. *Generally.*

Particulars relative to the publication of Rymer's Fœdera and Appendixes, *Rep.* xxxi.——Collection of books purchased with a view to a new edition of Rymer's Fœdera, *Protheroe* 1991; *Cooper* 3141——Documents have been committed to Mr. Black, *Protheroe* 1997——Evidence as to portions of the old Rymer which could strictly be called Records, *Protheroe* 2049.——Inaccuracy of Rymer's transcripts; this opinion also expressed by Sir H. Nicolas, in the preface to his work of the Proceedings of the Privy Council, *Stevenson* 3843——Witness does not think the publication of a new edition came strictly within the wording of the Commission, *Protheroe* 2052, 2071——Portions of the work assigned to different persons; remuneration to be received, *Protheroe* 2079——Better to have printed something not printed before rather than reprint Rymer, *Hunter* 6267–6269.

A sound discretion was exercised in suspending the publication of the new edition, *Hunter* 6307; *Beltz* 6733——Witness has found mistakes in the new edition of the Fœdera which have been continued from the former work, *Beltz* 6730–6732——Report drawn up by witness upon the inexpediency of drawing up Rymer's Fœdera upon the present plan; report lost, *Hardy* 3660–3666——Witness's engagement to collect materials for Rymer's Fœdera, *Stevenson* 3732——Witness's employment in extra hours has been forming a chronological abstract of documents transcribed for the new edition of Rymer's Fœdera,

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Fœdera, *Stevenson* 3789——Work discontinued by witness on account of dissatisfaction which the work has created, *Stevenson* 3790——The work to be printed as Appendix to Mr. Cooper's Report; should have formed an independent work, *Stevenson* 3802——Bad plan of the new edition; abandoned on good grounds, because it was found to be imperfectly executed, *Tytler* 4287–4291.

Value of a new edition of Rymer, *Johnston* 5970——Errors in the original edition, some of which have been corrected, *Johnston* 5972——Much valuable historical matter might be added to the Fœdera, *Kempe* 6196——A supplement to Rymer would have been the proper measure to adopt; and important corrections might have formed part of such work, as revision of the volumes of the old editions, *Kempe* 6198; *Beltz* 6734——Witness's opinion of the new edition of Rymer's Fœdera, *Brayley* 6355——Expedient that state papers of the nature of Rymer should be printed, *Vice-Chancellor* 6663——Every document that can be obtained for the Fœdera should be procured; approves of the foreign researches carried on for that purpose, *Phillips* 7531–7534.

2. *Appendix.*

Evidence concerning the Appendix, *Protheroe* 2004——Should have been submitted to the Board before any part of the work was printed; the greater part was printed before the Board was aware of the existence of the work, *Protheroe* 2058——Evidence explaining the contents of the various appendixes to the Rymer Fœdera; motives for collection, expense, &c., *Cooper* 2191–2244, 3055——Evidence concerning formation, contents, &c. of Appendix (A.), formed by witness during portions of 1832, 1833, 1834 and 1835, *Cooper* 2199——Reasons for production of apendixes before Committee without indexes or titles, *Cooper* 2243——Authority for printing and publishing evidence concerning appendixes, their contents, expense of collecting, &c., *Cooper* 2158–2244, 3055, 3080——Collection of documents for its formation, *Cooper* 2174–2176, 2187——Authority for printing, collecting and publishing, *Cooper* 2177.

3. *Papers laid before the Committee.*

Witness derived much assistance from perusing this work when compiling his Naval History and Biography, *Southey, App. Q.* 9–12, *p.* 731——Number of copies thereof printed by the Record Board, *App. p.* 732——Sums paid for searches and transcripts of materials for this work, together with freight of papers from 12 March 1833 to 31 December 1835, *App. p.* 770——Purchase of books for the new edition of, *App. p.* 771.

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Saint Gall. See *Gall, Saint.*

Salaried Commissioners. See *Constitution of Commission*, 2.

Salaries. Steps taken by Commissioners to obtain accurate knowledge of the officers' fees and emoluments of the various offices in which Records are deposited, *Cooper* 342——Evidence as to Mr. Hunter's salary, *Protheroe* 1601; *Hunter* 3171——Evidence concerning Sir F. Palgrave's present salary and emoluments, *Cooper* 2681; *Palgrave*, 4138——Accounts delivered in by witness to the Commission including salary, on settlement thereof, *Cole* 4873–4909.

See also *Editors. Officers. Receipt and Expenditure. Remuneration. Secretary.*

Sale of Public Records as private Property. See *Records*, 5.

Sale of Records. See *King's Remembrancer. Ord, Craven. Pickering*, Mr. *Publications. Records. Theft of Records. Waste Paper.*

Salisbury. Nature of Records and documents preserved in Salisbury, *Benson* 4975——Richness of the Ecclesiastical Records of the See, *Benson* 4975.

See also *Agincourt, Battle of. Old Sarum. Privy Council. Liber Ruber. Lollards. Osmund, Saint.*

Saxon Laws. See *Anglo Saxon Laws.*

Scala Chronicle. Published by the Maitland Club from a MS preserved in Christ Church College, Cambridge, *Tytler* 4264——Published under the editorship of Mr. Stephenson, Sub-commissioner of Records, *Tytler* 4264——Quite equal in its class to the works of the greatest antiquarian, *Tytler*, 4274.

Scarlett, Mr. See *Cornwall, Duchy of.*

Schools of Transcribers See *Palæograpical Books Transcribers, School of.*

Scotland, History of. Witness employed in editing documents relating to the History of Scotland, *Palgrave* 4325——Value of fragments of Scottish History now publishing, *Allen* 7317.

Scottish Crown. The doubt respecting the renunciation of all right of superiority over the Scottish Crown by Edward III. in 1328, has been done away by the documents inserted in the new Rymer, *Lingard, App. Q.* 13, *p.* 730.

Scottish Law. A copy of a code of Scottish law acquired by purchase, of a date prior to the middle of the fourteenth century, *Thomson* 3839*.

Scotch Homage Rolls. Though perfect in itself was sold as waste paper, *Rep.* xxxvi——Have neither calendar nor index, *Cooper* 1081.

Scotland. See *Acta Dominorum Auditorum. Acta Dominorum Concilii. Acts of Scottish Parliament. Ancient Charters. Bannatyne Club. Cartulanes. Edinburgh. Fees. Indexes. Maitland Club. Private Records. Real Property. Records. Registration. Registrar of Great Seal. Retours of Services. Rotuli Scotiæ. Scotch Homage Rolls. Scotch History. Scottish Law. Switzerland.*

Scriptores Rerum Danicarum. Collection of, a considerable improvement on the execution of Muratori's plan, *Garnier* 4079.

Scrope and Grosvenor Rolls. Edited by witness; large fees paid at the Tower for transcription; Record published by subscription, *Nicolas* 4586.

Seals. Evidence as to cutting off seals on binding up Records, *Cooper* 432; *Illingworth* 953; *Cooper* 1027——Mr. Cole would not cut off seals or do any thing of the kind, *Cooper* 444——Mr. Cayley cut off the seals of a great number of conventual leases, in order to arrange the leases in volumes, *Cole* 4700–4707——Builder employed to take down old buildings in Westminster Hall informed witness that he possessed a considerable collection of seals, charters and other documents found there, *Cole* 4435.

Searches. See *Access to Records. Cornwall, Duchy of,* 6.

Secretary. Opinion of witness that too much was left to the secretary, both by the former and the present Commission, *Rep.* xxxi. xxxii. xxxiv. *Illingworth* 868, 869——The general management of the Board has rested with the secretary and some Commissioners, with whom he has had communication, *Rep.* xxxiv.; *Hallam* 7611——Practically the affairs of the Board have fallen very much into the hands of the secretary, *Hallam* 7612——Office of secretary taken by Mr. Cooper, with the understanding that the business of the Commission was to be subordinate to his legal business, *Protheroe* 1319, 1328, 1331, 1340——Evidence as to salary of secretary; rent of house in Boswell-court, and contingencies, *Protheroe* 1444–1453——Explanations relative to Mr. Protheroe's statements of expenses of secretary's department, *Cooper* 7944, 7945.

The Board has surrendered too large a portion of its authority, and almost the whole management, to the secretary, *Protheroe* 2148——Unsatisfactory effects produced by his irregularity, *Rep.* xxxiv——Witness has always found the secretary easily accessible and prompt in his attention to business; no inconvenience except having occasionally to apply to him in court, *Hunter* 6309——The work of Mr. Cooper on Records is a manual of Record literature, a very valuable and useful work, but, being the contribution of various persons, contains various opinions, and some things which might as well be omitted, *Hunter* 6310——Nature of the publication on the office of secretary, *Cooper* 2818——Not sought by witness, forced on him by Lord Brougham, *Cooper* 2777.

See also *Accounts. Agenda. Books. Expenditure. Finance. Publications of Commission. Receipt and Expenditure.*

Selection from Exchequer Records. No such work; nothing more than an appendix to proceedings of the Board, *Cooper* 126——Work compiled by Mr. Cole should not be appended to the Agenda, *Protheroe* 1654–1657, 2010–2021——Miscellaneous Records of King's Remembrancer printed as agenda; employment of Mr. Cole on this work, *Cooper* 2666–2675——Evidence concerning title-page and preface *Protheroe* 1658; *Cooper* 2687; *Cole* 4590, 4640——Remuneration to be received by Mr. Cole for this work, *Cooper* 2702——Evidence concerning the publication of this volume; injudicious mode of publishing valuable Records as agenda, *Cole* 4633–4644——Loan of the work from Mr. Cooper; title-page in the copy lent to witness, *Brayley* 6380——Publication of such a work as Agenda a waste of paper, of print, and of no use to the public, *Nicolas* 4229.

See also *Agenda. Cole,* Mr. *Miscellaneous Records,* 1. *Prefaces.*

Selection of Original Records. Opinions relative to transcripts and printing, *Rep.* xxix.

Selection of Works for Publication. See *Publications,* 6, 7.

Shadwell, Right Hon. Sir *Lancelot,* Vice-Chancellor. (Analysis of his Evidence.)—Witness's sanction to the recommendation of the Record Committee in 1800, 6657——Re printing the year books which are printed, would diffuse a more general knowledge of the English law than people at present possess, 6658——Publication of such works as Glanville, Britton, Bracton and Fleta would be more valuable among historians and antiquaries than lawyers, 6659——Extent to which Welsh and Saxon laws might be useful, 6660–6662——Expedient that state papers of the nature of Rymer's Fœdera should be published, 6663——Not an expedient measure to print the private Acts of Parliament, 6664——Value of many of the Records published in tithe causes, 6665——Difficulty of ascertaining the place of deposit of Records, 6666, 6669——Primary object of the Commission should be to publish calendars and indexes, 6667——Complaints frequently made as to fees, 6668——Method of keeping the Chancery Records; removed and deposited in places every 60 or 70 years, where it is difficult to find them, 6673——Better accommodation is necessary for some Records than at present afforded, 6674——Witness's opinion of the present constitution of the Record Commission; Commissioners should be preserved as an honorary body, and employ subordinate persons to be paid for their work, 6678–6680.

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Shadwell, Rt. Hon. Sir *L.* (Analysis of his Evidence)—*continued.*
(Second Examination.) Has heard no complaints of the state in which the modern Records of the Six Clerks Office are kept, 6688, 6689.

Sieben Bürgen. Evidence as to error in copying clerk in preparing returns for Parliament, *Cooper* 3150–3153.

Seisins, Registry of, Scotland. No grant of money from the present Board, except to pay off a debt for index-making to the Registry of Sesins, *Thomson* 3751*——Witness began an abridgment of the Records of Seisins as far back as 1781, which has been completed in manuscript to 1830; considerably advanced for subsequent years, *Thomson* 3756*——Reasons against printing a large number of a work of the nature of the index forming by witness, *Thomson* 3771*——Object of printing the index has been to save the trouble and the errors of transcribing, *Thomson* 3772——Assistance of Commission wanting for the completion of this work, *Thomson* 3830*.

Signed Bills. Statement by the secretary as to the necessity of sorting, cleaning and repairing the Signed Bills at the Rolls Chapel, *Rep.* x.

Signet Bills. Have neither calendar or index, *Cooper* 1081.

Six Clerks Office. Arrangement of documents at Six Clerks' Office; dispersion of the Records among the offices, *Spence* 5805——Bills and Answers filed, *Spence* 5805——Facility with which Mr. Drew refers to any document in the Six Clerks' Office, *Spence* 5805——Rules of this office as to searches, *Spence* 5825——Facilities afforded to searchers of Records at the Six Clerks' Office, *Leake* 6125–6129——Fees not unreasonable, *Leake* 6131——Arrangement of Records in a very good state, *Turton* 6638–6642, 6682, 6683; *Drew* 6690; *Merivale* 6687.
See also *Chancery Records*, 1.

Smith, Mr. *Vernon.* Interview between witness and Mr. V. Smith at the Treasury, relative Record Commission, accounts, &c., *Protheroe* 1475.

Society of Antiquarians. See *Antiquarian Society.*

Somerset House. Records there are deposited in vaults two stories under ground, *Rep.* viii. ——Inconvenience of the vaults used as a depository for the Exchequer Records, *Rep.* xi. ——Records are frequently brought from thence to the Temple, where they remain for some time, *Rep.* xxvi.——Evidence concerning damp at Somerset House, *Illingworth* 947 ——Records deposited there in a building alternately damp and dry, *Cole* 4770——Bad state of the building at Somerset House in which are deposited the Pipe Records, *Cooper* 1144——Records kept in vaults under the east side of Somerset House reported to be free from damp; injured by building King's College, *Cooper* 1805——The vaults there utterly unfit repositories for Records, *App. p.* 861.
See also *Pell Office. Pipe Office. Pipe Rolls.*

Somerville, Mrs. Witness would rather publish Mrs. Somerville's work on the Mecanique Cœleste than the work of La Place, *Rees* 5353–5357.

Southey, Dr. Questions submitted to him by order of the Committee of the House of Commons on the Public Records, *App. p.* 729——His answers thereto, *App. p.* 731, 732 ——List of publications of the Record Board in witness's possession, *Southey, App. Q.* 15, *p.* 731.

Spankie, Serjeant. (Analysis of his Evidence.)—General knowledge of publications of the Record Commission, 7431——Those which relate to the value of ecclesiastical property of great use in tithe causes, 7432——Very desirable that there should be new editions of such works as Bracton, Fleta, &c., 7435-7440——The Year Books also deserve to be published, 7441——Such works as Statutes of the Realm, and Acts of Scotland, could not have been undertaken except by the State, 7442——Knowledge of Anglo-Saxon laws would be highly useful in a constitutional point of view, 7444, 7445——Publications issued under Record Commission extremely creditable to the country, 7446——Opinion as to expediency of building a central Record Office, 7456——A salaried Board of Commissioners by no means necessary, 7458——Financial department should be placed under strict control, 7460——Board would degenerate if salaried, 7464——Extent to which witness would have persons employed with salaries, 7465–7471——The Board ought to select the editors, 7472.

Speaker, the Right hon. Directions to secretary to avoid all expenditure that could conveniently be spared, *Cooper* 221.

Speaker's Gallery. Titles (so far as can be now made out) of every book stated in the last Parliamentary Return, 1835, to have been wanted for temporary purposes, and to have been placed in the hands of a bookseller and stationer for exchange, or to have been eventually sent to the British Museum, and of the Books removed from the Speaker's Gallery, *App. p.* 804–807.

Searman, Mr. See *Finance.*

Special Commissions. Many Special Commissions for the examination of lands, ports, forests, rivers, titles, bounds and limits, in the Carlton Ride, are in bad condition; many supposed to be there cannot be produced, *Rep.* xiv.

Specimens of Catalogues. See *Catalogues.*

Spence, George. (Analysis of his Evidence.)—A Chancery Barrister and King's Counsel; author of a work upon the Judicial Institutions of Europe, 5783——Considerable value

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of the Record publications on Chancery proceedings, 5787——Of the publications generally to persons who desire knowledge on subjects of constitutional or legal antiquities, 5789–5791——It would be next to impossible to get any bookseller to undertake works of the nature of the Record Commissioners' publications, 5792——Witness aware that the associated booksellers had published the Chronicles, but not aware of the result as a speculation, 5795, 5796——Arrangements of the Six Clerks' Office; dispersion of the Records among the offices, viz., the Six Clerks' Office, Examiner's Office, Registrar's Office, Report Office and Inrolment Office, 5805——Suggestion of witness when in Parliament, that all the documents should be collected in one office, 5805——Facility with which Mr. Drew refers to any document in the Six Clerks' Office, 5805——All fees in the courts of law are fixed by the judges of the courts, 5815——Facility with which documents are produced in the Register Office, 5816.

Rules of the Six Clerks' Office as to searches, 5825——Witness, as far as he can judge, considers the constitution of the present Commission the best that can be put into practical operation, 5830——This Commission, like all others, requires supervision, 5830——Witness proposed that instead of grand Committees being appointed by the House of Commons, standing Committees for legislation for public Records and other subjects of national importance should be appointed, 5830——Failure of Commissions appointed for legal reforms, from want of persons to see their recommendations effectually carried into operation, 5830——Master of the Rolls and Vice-Chancellor might do all that would be required of them as Record Commissioners, 5831——Evil of the want of supervision of all Commissions, 5832–5837——Standing Committee of the Commons would insure the due execution of the duties of Commissioners, 5835——The fact of publications being distributed to the Members of the two Houses, and Reports being laid on the table of the House by order of the King, would give Parliament a cognizance of what was doing by the Commission; but the reports should be referred to particular persons for examination, 5840.

Spencer, Lord. Plan for collection of materials for History of Britain originated with Lord Spencer, who preferred the plan of Dom Bouquet to Muratori, *Cooper* 2171——Meeting at his house prior to settling the plan on which materials for the history of Britain should be collected, *Petrie* 3419–3423——Witness's plan for collecting materials for history printed by the secretary of the Record Commission without his consent or knowledge, *Petrie* 3491, 3492.

Spring Gardens. See *Land Revenue.*

Stalactites. Found in the vaults of Somerset House in which Records are deposited, *Rep.* xi.

Standen, John Henry. (Analysis of his Evidence.)—Clerk of Reports in the Court of Chancery, 6254——Nature of the documents deposited in the Report Office, 6255——Consisting of books of orders and decrees and indexes, reports and indexes; Accountant-General's certificate from the date of the first appointment; exceptions to reports and petitions, 6255——Records in the Report Office of the Court of Chancery are in excellent order and easy of access, 6256——Charges for searches 6*d.* per year, 6257——Charges for copies 9*d.* per folio; charge regulated by Lord Hardwick's order, 1743, 6259——Records in the Court of Chancery the most important in the kingdom; few estates of magnitude not connected with the Court of Chancery, 6260——Records in a most excellent state of arrangement; not a thing which could not be produced immediately, 6265.

Star Chamber. Proceedings and reports of the Court of Star Chamber deposited in the Chapter House merely tied up in bundles; impossible to use them without being flattened out and bound, *Palgrave* 4343.

Stapleton, Thomas. (Analysis of his Evidence.)—Has been engaged in a course of historical inquiry on the connexion between Normandy and England, 5139——Has made great use of the publications of the Record Commission, 5140——Has found the works of essential importance, 5143——The selection made for publication is the most judicious possible, 5144——Publications of late years are a great improvement upon former practice, 5146——The late works have been extremely accurate, 5147——Importance of the Pipe Rolls, 5148——Calendars of the Inquisitions and the Abrevatio Placitorum not well done, 5147——Value of Sir F. Palgrave's work on Parliamentary Writs, 5149——Most desirable that the work should be continued, leaving out the alphabetical digest, 5152——Publications of the Commission have had a great tendency to diffuse a knowledge of historical literature in the country, 5153, 5154——Nature of documents consulted at Rouen and Caen by witness; they were not arranged, nor had they any catalogue, 5158–5162——How far transcripts would supply the place of printed works, 5166——Expenditure of public money on publications useful to the educated classes warrantable, 5169–5176——Not possible for any individuals to publish Records and cover expenses; by personal favour or subscription it might be done, but could not as an ordinary speculation, 5180——Records at Caen have been sorted, and a calendar printed at the expense of the Society of Antiquaries, 5181——The wardrobe accounts and household accounts of Edward III. are the only Records published by the Antiquarian Society, 5185——Witness commissioned by the Society of Antiquaries to edit the Norman Rolls, 5187——Accuracy of the Close Rolls, 5193——Rotuli Selecti not accurate, but deficiencies supplied by a valuable errata, 5196——Publication of the Chancellor's Roll, generally speaking, a very fair work; there are however a good many errata, 5211.

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STATE PAPER OFFICE:

1. *Arrangement, Access and Indexes.*
2. *Publications by Government.*
3. *Papers laid before the Committee.*

1. *Arrangement, Access and Indexes.*

Commission for methodizing other Record Offices recommended by the Committee of 1800, similar to the one that had been issued for methodizing the State Paper Office, *Rep.* xx.——Volumes are well arranged, but not catalogued, *Tytler* 4259——Not under the power of the Record Commission, *Tytler* 4260——Valuable documents in this office; difficulties of consulting them, *Nicolas* 3979——Institution of the State Paper Office, *Tytler* 4293——Evils arising from want of catalogues, *Tytler* 4293——Papers discovered in the State Paper Office of material importance to Mr. Thomson's publication, *Tytler* 4293——Civility experienced by witness from every officer of the State Paper Office, *Tytler* 4299——Catalogues alone wanting, *Tytler* 4299——The want of such documents no imputation on the Record Commission, *Tytler* 4300——State Paper Office not under the cognizance of Record Commission, *Tytler* 4300——Arrangement of confided to a Special Commission by the King, *Tytler* 4301.

The arrangement is believed to be admirable in its plan and excellent in its execution, but few unsorted documents, *Cooper, p.* 671——A letter in the State Paper Office may be evidence, while the answer in the British Museum would not be admissible, *Nicolas* 3974——Publication of state papers or documents of that sort important with reference to the History of the Constitution, *Wetherell* 5992——Date to which state papers might be open to the public, so as to distinguish between historical and more modern papers, *Tytler* 8226, 8227——It would be useful to historian that the Record Commission should extend its labours to publishing indexes to documents now contained in the State Paper Office, *Tytler* 8191, 8229——Under present regulations not sufficient facilities of access, *Tytler* 8227——Witness's objections are to system followed in the office, alterations in which are not in the power of the keeper, *Tytler* 8234.

2. *Publications by Government.*

Publication of the last volume of State Papers, relating to Ireland, though valuable, has had but a very limited sale, *Gurney* 5227——Sale of works published by entrusted to witness; number of copies sold; want of sale does not arise from want of interest in the public in historical works; the books might have sold better in a cheaper form, *Murray* 3287——Price paid on the State Papers not a remunerating price, *Rees* 5330——Publications would have been more popular if selections had been made from a more modern date, *Rees* 5371.

3. *Papers laid before the Committee.*

Witness derived much assistance from a perusal of them while compiling his Naval History and Biography, *Southey, App. Q.* 9–12, *p.* 731.

See also *Royal Letters and State Papers.*

Stationery Office. Course of examination of the King's printer's accounts, *Macdonald* 6477——Prices the same now as before the Stationery Office examined accounts, *Macdonald* 6486–6493.

See also *Chapter House.*

Statutes. Matter of great regret that the Commission did not publish the Statutes in a cheaper form, *Parkes* 4412——Great value of the authentic document of the Statutes of the Realm, published by the Board, *Rep.* xxx. *Benson* 4965; *Bruce* 5920; *Sugden* 8016; *Littledale* 8299——A separate collection of repealed Statutes should be printed, *Wetherell* 6055——The first respecting the Statutes, as published by the Record Board, contains valuable information, volume of Magna Charta and its repealed publication, *Lingard, App. Q.* 12, *p.* 730——Number of copies printed by the Record Board, *App p.* 732.

See also *Acts of Parliament, Ireland. Private Acts. Repealed Statutes.*

Stealing Records. See *Theft of Records.*

Stephen, Roll of. This Roll was printed because it was the earliest of a very curious and valuable series of Records called the Pipe Roll, *Cooper* 2576——Indexed by Mr. Hunter, *Cooper* 2579.

Stephen, H. J. (Analysis of his Evidence.)—Highly desirable that such works as Bracton, Glanville and Fleta should be published, 6768——Evidence as to value of Year Books; use to lawyers; of the greatest service in facilitating the study of the law, that an authentic edition of the Year Books should be published, 6769, 6777–6782, 6811, 6821–6834——Mode of publication, 6838–6841——Works of the description of the Statutes could not be undertaken under any other than a Government sanction, and at a public expense, 6772——Importance of the Anglo-Norman laws to the present law of England, 6774, 6855——Witness derived much benefit from the Placitorum Abbreviatio, in a work

Stephen, H. J. (Analysis of his Evidence)—*continued.*

work he published, 6775——Publication of Records of the Curia Regis of great value, 6777.

Stevenson, Joseph. (Analysis of his Evidence.)—A Sub-commissioner, appointed April 1836, 3725–3727——First engaged by Mr. Cooper, verbally, in the presence of Mr. Hardy, 3729——Nature of engagements; to collect materials for Rymer's Fœdera, and make a calendar to miscellaneous documents, 3732——Employed at the British Museum, in the manuscript department, till engaged by Mr. Cooper, 3735——Would not have engaged himself in the temporary employ of Mr. Cooper, 3737——Engagement as to salary, 3744——Not fulfilled on the part of the secretary, 3747–3761——First employed at the Tower, in examining Miscellaneous Records for selecting for the Fœdera, 3763——Witness's opinion expressed to the Commissioners, that his time and their funds might be better employed than on such work, 3769–3770——Witness's opinion that it was more advisable to print the Pipe Rolls of King John, 3772.

State of work on witness's succeeding Sir F. Palgrave, 3775——Witness never has been employed in cleaning or arranging or sorting the Miscellaneous Records, 3780——Mr. Reties would not have allowed such interference with his office, 3781——Witness's employment in extra hours has been forming a chronological abstract of documents transcribed for the new edition of Fœdera, 3789——Witness discontinued the work on account of the dissatisfaction which the work has excited, 3790——Rate of pay five guineas per sheet, 3791——This work to be printed as Appendix to Mr. Cooper's Report, 3792——The work should be printed as an independent work, 3802——Witness's explanation of the calculation as to making indexes to the Records at the Tower, which was handed in by Mr. Cooper; inaccuracy of that statement; correctness of Mr. Hardy's accounts, 3804——Unfairness of witness's opinions being quoted, his information having been a private communication, 3808——Mr. Hardy's calculations perfectly correct, and witness's perfectly erroneous, 3811–3813.

Extent to which calendars would be useful to documents at the Tower, 3816——Calendars most essential to all Records of value, 3817——Funds of Commission cannot be better applied than in calendaring Records at Tower on Mr. Hardy's plan, 3818——Favourable opinion of specimens of catalogues formed by Mr. Cole, expressed by Mr. Cooper, 3820–3825——Witness has heard of young gentlemen employed by Mr. Black at the Museum, if by that is meant a school of young transcribers, 3827——Employed, according to statement of one employed by witness, in copying documents about 100 years old, 3830——Transcripts on which they have been employed are of no earthly value, 3831——At a loss to know of what use books could be as purchased for the use of this school, 3838.

Inaccuracy of transcripts of Rymer; this opinion also expressed by Sir H. Nicolas, in the preface to his work of the Proceedings of Privy Council, 3843——Clerks in witness's employ; difficulty of teaching persons to transcribe with accuracy; waste of witness's time, 3845–3851——Discharge of transcribers in Sir F. Palgrave's employ, 3852–3855——Discharge of Mr. Bond from the Augmentation Office, 3856——Witness has borrowed books from the library of the Record Commission for his own purposes, not for Commission work, 3858–3863——Works purchased by witness to enable him to complete catalogue of documents transcribed for the Fœdera, 3864——Has been desired by Mr. Cooper to charge the Commission for some volumes, but has not done so, 3866——The only instance in witness purchased a book at the expense of the Commission was Tanner's Notitia which Monastica, 3867——Has manuscripts ready for press, but nothing printed for some months, 3870.

Stevenson, Mr. Attention of the House called to his statement respecting the irregularities of the secretary, *Rep.* xxxiv.——Employed in arranging and sorting the Records at the Tower, *Cooper* 146.——Nature of the employment of the Record Commission, *Cooper* 1050——Employed in copying Records for Rymer's Fœdera, *Hardy* 3559, 3561——Not employed in calendaring Records, *Hardy* 3562——Employment of Mr. Stevenson at the Tower; never had the custody of Records, *Hardy* 3705——Rate of remuneration received by him, *Cooper* 2942——Value of his catalogue; use made of his work by witness; correspondence made available to witness owing to Mr. Stevenson's work, *Tytler* 4259——Sums paid him as compiler of the calendars of the miscellaneous and unsorted Records at the Tower, &c., *App. p.* 770——Outline of his operations at the Tower since the commencement of his employment there in August 1834, *App. p.* 749——Copies of his Reports of works performed by himself and clerks at the Record Office, Tower, from September 1834 to December 1835, *App. p.* 878–883.

See also *Forshall,* Mr. *Miscellaneous Records. Remuneration. Sub-commissioners. Tower.*

Stone Tower. Evils resulting to certain unexamined Records in the western tower of Westminster Hall, *Rep.* xiii.

Straswitz. Mention of this place in Appendix (A.); note from a foreign correspondent; mistake of Michaud, *Cooper* 3107.

Stuttgard. Collection of papers from Stuttgard, in Appendix (B.) to Rymer, relating to English history, *Cooper* 2191.

Sub-commissioner. Only appointment of a Sub-commissioner by the present Board is Rev. J. Hunter, *Cooper* 21——Duties and numbers of Sub-commissioners, *Cooper* 32——Inaccurate manner in which persons may have been so styled; inconvenience occasioned by loose use of the term, *Rep.* xxxv. *Cooper* 32, 34, 108——Names of Sub-commissioners employed and recognized by the Board, *Cooper* 104——Committee appointed on the best mode of remunerating Sub-commissioners, *Cooper* 7696——Periodical reports made by editors and Sub-commissioners, *Cooper* 7732——Witness appointed by the Board a Sub-commissioner, *Hunter* 3165——Witness appointed a Sub-commissioner, *Stevenson* 3725.

Advantageous to have more frequent intercourse between the Board and the Sub-commissioners, *Protheroe* 1478——Evidence concerning persons who do the business of Sub-commissioners, and should be considered in that light, *Protheroe* 1666——Very great confusion existing in the use of the word, *Protheroe* 1664——Editors and clerks do the work of Sub-commissioners, *Protheroe* 1665——Claim of Mr. Hardy to be so considered; so addressed by witness, *Cooper* 109, 110, 111; *Hardy* 3527——Claim of Mr. Cole to be so considered, having been so addressed and written to by witness, *Cooper* 112——Directed by Mr. Cooper to style himself Sub-commissioner for Arrangement of Exchequer Records; that title scratched out by Mr. Cooper, *Cole* 4735——Word, Sub-commissioner, erased by Mr. Cooper, *Hunter* 3346–3350——Word, Sub-commissioner, erased by Mr. Hunter or Mr. Cooper, *Protheroe* 2129.

Mr. Cooper styled both Mr. Cole and Mr. Hardy Sub-commissioners in his correspondence with witness, *Protheroe* 2099, 2100——Importance of the term to those employed, *Protheroe* 2101——Statement delivered in by Sir H. Inglis from Lord Brougham relative to proceedings on the memorial of Messrs. Cole and Hardy, which were not considered as pronouncing censure, but merely refusing to appoint one or the other of them a Sub-commissioner at the time and under the circumstances, *p.* 214——Duty performed and time employed by the Sub-commissioners, in executing the orders of His Majesty's Commissioners on the Public Records, between March 1829 and March 1830, *App. p.* 808.

See also *Books*, 3. *Cole*, Mr. *Hardy*, Mr. *Hunter*, Mr. *Officers*. *Police Reports*. *Receipt and Expenditure*. *Quarterly Reports*. *Stevenson*, Mr. *Thomson*, Mr.

Subsidy Rolls. Have neither calendar nor index, *Cooper* 1081.

Sugden, Right Hon. Sir *Edward*. (Analysis of his Evidence.)—Witness inclined to think it would be desirable that there should be erected a general repository for the preservation of the more ancient Records, 7981——One place of access would be highly convenient to the historian and lawyer to all Records down to Henry the Seventh's time, 7981–7983——Witness has seen as much of cases in which documents have been searched for, with a view of establishing titles, as any man living, 7990——Has not met with complaints of want of access to Records, of the difficulty with which searches are made, or of impediments made in the way of obtaining them for ordinary use, 7991——Case in which witness wished to examine a case, Fowler *v.* North; expenses as to fees; application of fees, 7991–7994——Suggestion that fees should be remitted upon searches for legal or historical purposes, 7995.

No complaints or difficulties in obtaining access to Records of the Court of Chancery, 7997, 8001–8004——Examination concerning state of indexes to Records of courts of law, 8000, 8002——Docket books of the King's Bench well adapted for the purpose for which they were wanted, 8003——Necessity of an ancient boundary in placing Records in any general deposit, or each court, according to the nature of its business, must have a different date, 8008——Reasons why publication of the Year Books unnecessary; the benefit would be in no proportion whatever to the loss by the expense, 8009——Such a publication as a new edition of the works of Glanville, Britton, Bracton and Fleta, would be so highly honourable to a country like this, that witness should think it highly desirable, 8010——Not an expedient measure to print the private Acts down to a certain period for public use, 8012–8015——Edition of the Statutes of England and Scotland highly useful and creditable to the country, 8016.

Witness of opinion generally against gratuitous labour, as no continuing work can be well executed except by those paid for their labour, 8018——Record Commission to a certain extent an exception, 8019——Details of arrangement, preparations of indexes, calendars, can be expected from none but persons with salaries, 8019——Certainly not better to vest the supreme direction in a body of persons receiving salaries, 8025——There ought to be some person of station and consequence whose whole time should be dedicated to the Commission, and who would be paid, who should have a strong power as a controlling power in common with the superior authority of the Board, 8027——Opinion as to the extent to which the fines should be printed, 8034——Publication of Privy Council Books desirable, 8036——Speaking generally of the publications of the Record Commission, they are of a highly respectable character, and cannot fail to be a great benefit to the country, 8036——Publications received by witness from the Board of Record Commissioners; considers them decidedly a donation, 8037–8042.

Suitors. Extract from the evidence of different witnesses relative to the evils to suitors of the fees charged in different Record Offices, *Rep.* xxiv——Of the greatest importance to suitors to have Records in perfect order and accessible, *Illingworth* 871, 872.

Suitors' Fund. Objection of the Master of the Rolls to any payment being made from the suitor's fund of the Court of Chancery for the erection of a Record Office, *Langdale*,

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Lord, 4512——Concurrence with the opinion of the Accountant-general on this point, *Langdale*, Lord, 4514——If the public require the accommodation they should pay for it, *Langdale*, Lord 4515.

See also *Petty Bag Office.*

Supervision of Commission. See *Constitution of the Commission*, 5.

Surveys of Church Livings. Among documents designated "Miscellaneous" at the Rolls Chapel, *Palmer* 6248.

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Survey of Record Offices. Survey made of the Record deposits by certain members of the Commission, their report to the Treasury, *Cooper* 7717——Witness does not know who drew up the report, *Cooper* 7720——A personal inspection of the principal depositories determined on by the Commissioners; by whom undertaken, and number of offices inspected, *App.* 860.

Survey of Wales. See *Wales.*

Suspended Works. No work that is now in progress need or ought to be suspended with expectation that any thing will be found that ought to make part of it, *Hunter* 6302——Evidence as to suspended works, and debt of Commission, *Allen* 7410–7414——Evidence as to works suspended by Mr. Cooper, *Protheroe* 1606——Catalogues to Records by Mr. Cole, *Cooper* 2752; *Cole* 4616——Close Rolls, publication of suspended for want of funds, *Cooper* 1941——Materials for British History suspended, *Cooper* 2167——New edition of Rymer suspended, *Cooper* 2184——Oblata Rolls and Patent Rolls suspended, *Cooper* 2615——Norman Rolls suspended, *Cooper* 2617——Parliamentary Writs, *Cooper* 2624——Operations at the Pipe Office, *Cooper* 178; *Panton* 7105–7107——Pipe Rolls suspended, *Cooper* 2624——Register of Great Seal Scotland, *Thomson* 3823.

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Sweet, Stephen. (Analysis of his Evidence.)—Law-bookseller and stationer, 6058——A wild speculation in any booksellers to attempt a publication of such works as the Year Books, Bracton, Fleta, Glanville or Britton, 6060——Attempts of Mr. Butterworth to collect subscribers to a new editon of Bracton, given up though the editor had made considerable progress, 6061—— Many gentlemen of high legal attainments who would give their assistance to national publications, but who would not labour for booksellers, 6063——Attempts of witness to issue a new publication of Year Books and old Reports; relinquished on being convinced of the badness of the specalation, 6064——Witness does not think that any bookseller would undertake the publication of the work mentioned by Sir C. Wetherell, even if the society of the Temple made them a present of the manuscript, 6067——No booksellers would have undertaken the publication of the works of the Record Commission, 6068–6070——Value of publications would be much enhanced if they were made evidence by Act of Parliament, 6070——No bookseller would have undertaken the publication, even if free access had been given to the Records, 6071——Most economical method of publishing the works would be to submit them to publishers by tender, 6072——General style of the publications expensive; splendour considered more than utility, 6075——Opinion of witness as to the bad printing and editing of the Rotuli Locati, handed for inspection by the Commission, 6076.

Switzerland. A volume of Records in the library at Berne; application made by Government; volume transmitted to this country, and deposited in the General Register House, *Thomson* 3831*–3838*——Transcripts of documents relating to Ireland found at the Abbey of St. Gall, in Switzerland, *App. p.* 884.

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publication, 6183——Great benefit would be derived to the community if, after careful publication, Records were made *primâ facie* evidence for legal purposes, 6183——In that case the cost of publication would be amply repaid to the suitors and the public, 6183.

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Templars' Book. Witness's opinion that this work is inadequately described in Mr. Cole's catalogue, *Hunter* 3311.

Temple, Inner. Bench of the Inner Temple have applied a sum of money from their own funds for the publication of inedited Reports of an early date, upon the principle of public utility, conceiving that a bookseller would not run the risk, *Wetherell,* 5985, 6028.

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Testa de Neville. Complete in itself, though sold as waste paper, *Rep.* xxxvi.——Witness not aware of any inaccuracies in this work; evidence as to plan of the work as published by Commission, *Cooper* 2842——Roll of the Testa de Neville delivered to witness on the order of the King's Remembrancer, *Cole* 4464——Errors in the published Record of Testa de Neville, *Cole* 4763–4769; *Phillips* 7529.

Tewington. Nature of conveyance of the manor of Tewington from the Duchy of Cornwall, *Coode* 4011——Evidence relating to the discovery of a document in the Augmentation Office relating to the Manor of Tewington, *Cole* 4709.

Theft of Records. Labourers and others employed in removing Records from Westminster Hall purloined considerable quantities, *Rep.* xii. xxvii.——Evidence concerning theft of Records, *Cooper* 1225–1230; *Cole* 4925.

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Thierry, Mr. His work on the Conquest of England by the Normans, printed by the Royal Printing Office in France, *Garnier* 4084.

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Tickets. Evidence as to tickets having been cut off Rolls at the Augmentation Office by Mr. Cole, *Cooper* 1281——Whatever labels have been moved by witness were to improve the arrangement carrying on at the office, *Cole* 4682——Cause of witness having cut off tickets placed to Records by Mr. Caley, *Cole* 4841.

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Tithes. Illustration of the usefulness of the Docket Rolls as guides to the Verdict Rolls, *Hewlett* 557——Not a tithe case where it is not necessary to have recourse to the publications of the Record Commission, *Wetherell* 5994-5995——Great service of several of the publications of the Record Commission to parties engaged in tithe causes, *Boteler* 6101-6105; *Vice-Chancellor* 6665——Parliamentary survey, taken in Cromwell's time, much referred to in tithe causes, *Boteler* 6108——Minister's accounts, preserved in the Augmentation Office, also much used, *Boteler* 6109——Terrier's preserved in the registries of the different dioceses repeatedly referred to in tithe causes, *Boleter* 6110——Those which relate to the value of ecclesiastical property of great use in tithe causes, *Spankie* 7432——Valor Ecclesiasticus has been very useful in tithe causes, *Alderson* 7665——Many of the Record Commissioners' publications of great use in tithe causes, *Littledale* 8304.
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Tower:
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2. *Fees.*
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4. *Transcripts.*
5. *Papers laid before the Committee.*
   i. Progress in Arrangement.
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1. *Arrangement, Access, Buildings.*

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Persons now employed, *Cooper* 1050——Complaints against buildings as Record deposits; correspondence with Duke Wellington and Mr. Byham, *Cooper* 1061——This repository is excepted by Mr. Protheroe out of his charge; Mr. Hardy, expressed a strong opinion on the arrangement being admirable, and the contents well ascertained, *Cooper, p.* 671——The present Commission have taken part in the management of the Records deposited in the Tower, *Cooper* 248——Arrangement of the Records at the Tower; Mr. Stevenson employed in arranging and sorting them, *Cooper* 146, 7770——Progress made in arranging Records, *Cooper* 1067——Statement as to Records published or about to be published, *Cooper, p.* 87.

Record Commissionhas not done anything to repair or arrange the Records, *Roberts* 6971——Record Office at the Tower open to copying at all times, to Commission, to any extent, *Petrie* 3499——Tower Records well arranged, *Petrie* 3503; *Hardy* 3554; *Gage* 5038; *Roberts* 6944, 6945——Witness has found every facility in searching at the Tower, *Gage* 5063——Every facility given to literary searches, *Roberts* 6946——Injustice of Mr. Illingworth's pamphlet in its reflections on the Record Office at the Tower, published by Record Commission, no notice of which was given to the officers at the Tower, *Hardy* 3564–3569——Good preservation of Records at the Tower, *Gage* 5006, 5038; *Grimaldi* 6555——A person engaged in general historical inquiries would obtain a vast mass of information from the Records in the Tower, *Baines* 5441——Great assistance given in searching at the Tower, *Grimaldi* 6529.

2. *Fees.*

No charge made for search for historical and literary purposes, *Cooper, p.* 215——Amount of fees, as recommended by the Commissioners on duties of Court of Chancery, *Cooper, p.* 215——Amount of fees at Tower, *Hewlett* 661——On searching the Tower, witness informed that if for literary purposes his fees should be returned, *Hodgson* 3376——Evidence concerning fees at the Tower, *Cooper* 1124——Nature and extent thereof; must be sanctioned by the Court of Chancery, *Cooper* 1128——Liberality at the Tower must bring down the good opinion of all who speak of them, *Grimaldi* 6589.

3. *Indexes.*

Extent to which the Record Commissioners interfere in calendaring and indexing at the Tower, *Cooper* 1072——Records and portions of Records which have indexes, complete or otherwise, *Cooper* 1081——Extent to which calendars would be useful to documents at the Tower, *Stevenson* 3816——Work of calendaring goes on at the Tower by the members of the office, *Roberts* 7014–7019——Calendars not so good as they might be, *Petrie* 3505; *Hardy* 3614——Probable expense of calendaring and indexing Records at the Tower, 100,000 *l.*, *Cooper* 1072–1074——Evidence as to expense of calendars to Records in the Tower, which might cost 366,800 *l.*; difference between calendars and indexes, *Cooper* 1755–1765——Witness has heard of Mr. Cooper's estimate for forming calendars to Records at the Tower; witness's estimate makes the whole amount to 25,367 *l.*, *Hardy* 3619.

Further evidence as to cost of calendaring Records at the Tower, *Hardy* 3703——Witness's explanation of the calculation as to making indexes to the Records at the Tower, which was handed in by Mr. Cooper; inaccuracy of that statement; correctness of Mr. Hardy's accounts, *Stevenson* 3804——Unfairness of witness's opinion being quoted, his information having been a private communication, *Stevenson* 3808——Mr. Hardy's calculations perfectly correct, and witness's erroneous, *Stevenson* 3811–3813——Evidence concerning witness's interview with Mr. Stevenson on the subject of estimate for indexes for Records at the Tower, *Hunter* 8164–8175; *Stevenson* 8177–8182——Reasons why witness made no calculation of expense of making an index to the Chancery Records, *Hardy* 8183.

4. *Transcripts.*

No difficulty in making transcripts at the Tower, *Cooper* 1130——Transcripts of foreign letters, *Cooper* 1131——Early Chancery petitions for perpetuation, *Cooper* 1132——Evidence as to correspondence with Mr. Hardy, as to privately copying, *Cooper* 1134, 1854——Owing to impediment of order of the Board being required by keeper, *Cooper* 1136, 1137——Transcripts, facility of making, *Petrie* 3499.

5. *Papers laid before the Committee.*

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Progress made in the arrangement of the different Records deposited in the Tower, *App. p.* 866.

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Report of Messrs. Hallam & Petit on the work carrying on at the Record Office in the Tower, under the authority of the Board, dated 19 February 1835, *App. p.* 873——Annual report respecting the works at the Tower, from March 1834 to March 1835, *App. p.* 877——Copies of reports of works performed by Mr. Stevenson and his clerks at the Record Office, Tower, from September 1834 to December 1835, *App. p.* 878–883.

iii. Chancery Records at the Tower.

Correspondence between the secretary to the Commission and the Board of Ordnance, relative to the removal of the magazine under the room in which they are deposited, led

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to no favourable result, *App. p.* 862——Estimate of the probable cost and time necessary for completing a perfect and satisfactory calendar of the Rolls of Chancery in the Tower, with specimens, *App. p.* 904–909.

iv. Miscellaneous Documents.

Table of the miscellaneous documents in the Tower, *App. p.* 879, 880.

v. Letter from Mr. Petrie.

Letter from Mr. Petrie to Charles Buller, Esq., dated 6 March 1836, relative to the transcription and publication of the Records at the Tower, *App. p.* 877.

See also *Cæsar's Tower. Foreign Correspondence. Miscellaneous Correspondence*, 3. *Wakefield Tower. White Tower.*

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Transcribers. Clerks in witness's employ; difficulty of teaching persons to transcribe with accuracy; waste of witness's time, *Stevenson* 3845–3851——Discharge of transcribers in Sir F. Palgrave's employ, *Stevenson* 3852–3855——Witness has educated young men whom he has taken from Christ's Hospital, *Palgrave* 4365.

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Transcribers, School of. Superintended by Mr. Black, *Cooper* 2947, 3145——Carried on at the British Museum, *Cooper* 3144——Small progress made by pupils, *Cooper* 3145——Employed in transcribing the Collectanea of Rymer, *Cooper* 3145, 8108——Statement respecting school of young transcribers, *Cooper* 8108——No school of young transcribers; may be a semblance of such a system, but no reality; the expression can only tend to mislead Parliament, *Protheroe* 2090——Absurdity of a school for young transcribers, *Hardy* 3680——A few boys employed at the British Museum copying for Mr. Black, *Hardy* 3681——Could require no books to be purchased for them, *Hardy* 3682——Witness has heard of young gentlemen employed by Mr. Black at the Museum; if by that is meant a school of young transcribers, *Stevenson* 3827——Gentlemen employed, according to statement of one employed by witness, in copying documents about 100 years old, *Stevenson* 3830——Transcripts on which employed of no earthly value, *Stevenson* 3831——At a loss to know of what use books could be as purchased for the use of school, *Stevenson* 3838——Witness knows of no school of young transcribers, *Palgrave* 4365——A mere fiction to state that there is a school of young transcribers; a deception upon the Committee; nature of the instruction at the British Museum, *Cole* 4780, 4781——To say that books have been purchased to any extent for this school is not coincident with the fact, *Cole* 4781——Mr. Cooper's statement concerning the school of transcribers, *App. p.* 743, 744.

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1. *Generally.*
2. *Rates of Payment.*

1. *Generally.*

Opinions of witnesses relative thereto, *Rep.* xxix——Not usual to obtain the order of the Board for transcripts; such a rule would be prejudicial, *Cooper* 1853——Notice taken in the Agenda of orders of the Board for transcripts; expense incurred by former and present Commission, *Cooper* 1854–1862, 1864——Three thousand documents have been transcribed from foreign libraries for the Fœdera of Rymer, *Cooper* 2176——Nature of transcripts contained in various portfolios, *Cooper* 2188——Evidence showing that transcribing Records would not alone be sufficient; necessity of printing, *Cooper* 2837——Mr. Hunter's opinion on this subject, *Cooper* 2837, 2840——To what extent transcripts could be used if made instead of printing Records, *Stapleton* 5166——Expense of transcripts, in consequence of the documents wanted by witness never having been printed, *Johnston* 5935——For perpetuation: none at Rolls, *Cooper* 376——None at the Duchy of Lancaster Office in a state to require transcription, *Cooper* 407——In Augmentation Office none transcribed for preservation; no such step necessary, *Cooper* 501——A useless expens et transcribe any Records of the King's Bench, *Cooper* 1801——Evidence as to Tower, *Cooper* 1130–1137.

2. *Rates of Payment.*

Evidence as to pay for; duplicate transcripts to a certain extent, *Cooper* 2586——Suspension of work in Pipe Office, owing to demand of 6*d.* instead of 2*d.* per folio, *Cooper* 169, 1153——Payment to Mr. Baker, 6*d.* per folio, *Cooper* 1856——Payment to Mr. Foxton may have been 1*s.* per folio, 1155——Evidence as to re-transcription of documents for Privy Council Books, *Cooper* 1859——Evidence as to transcriptions by Mr. Devon for Rotuli Selecti, *Cooper* 1863——Payments to Mr. Baker for transcripts to Privy Council Book, *Cooper* 2591——Evidence as to payments to Mr. Baker and Mr. Devon, *Cooper* 1856.

See also *Denmark. Prussia. Rymer*, Mr. *Tower*, 4.

Transfer of Records. The present Commission has not had the powers of the old Commission extended to them as regards transferring Records from one office to another, *Rep.* xxiii.

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Treasury. Evidence as to correspondence between Mr. Spearman and Record Commission on the subject of keeping accounts never submitted to the Board, *Protheroe* 1531——Letter from Mr. Spearman as to the mode in future recommended to be observed in auditing the accounts of the Commission, *Cooper* 2334——Letter to Mr. Spearman from witness, stating details as to the Records at the Chapter House, *Palgrave* 4344.
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1. *Errors in the printed Edition.*
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1. *Errors in the printed Edition.*

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2. *Discovery of Documents which should have formed part of the Work.*

Value of this document, *Rep.* xxx. *Hardy* 3706–3712——Considerable portion has been discovered in the Augmentation Office subsequent to publication of sixth supplementary volume, *Protheroe* 1294, 1477——No truth in the statement that any part of the Valor Ecclesiasticus has been discovered since the work was printed, *Cooper* 2610——Document relating to, to be found in the First Fruits Office and Chapter House, *Cole* 4762——Discovery of some portion of the Valor Ecclesiasticus, which ought to have formed part of the supplemental volume, *Cole* 4710, 4711——Evidence as to portions of the Valor Ecclesiasticus supposed to be found in the Augmentation Office

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Vascon Rolls. Expense of making calendars to these Rolls 605*l.*, *Hardy* 3619——Time and cost estimate of calendaring the Vascon Rolls in the Tower, *App. p.* 907, 909.

Vaux Peerage. Copy of Bills from the Rolls Chapel delivered in to the claimants of the Barony of Vaux, *Nicolas* 4166.

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1. *Common Pleas.*
2. *Exchequer, Law Side.*
3. *King's Bench.*

1. *Common Pleas.*

Are in a very good state, *Hewlett* 579——Part of these Rolls kept at Chapter House part at Carlton Ride, *Hewlett* 583.

2. *Exchequer, Law Side.*

The bundles are in great confusion; those of Elizabeth are mixed with those of Henry the Fourth, *Rep.* xix.; *Hewlett* 625 627.

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Are kept at the house of the Master of the Rolls, *Hewlett* 570.

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Vincent, Henry William. (Analysis of his Evidence.)—Holds the office of King's Remembrancer, 1670——Offices which fell into witness's keeping on the Act regulating the Exchequer, 1673——Correspondence and evidence concerning the Augmentation Office, which was transferred to witness's management; disputes with secretary of Record Commission, 1677–1696——Arrangements as to transcribing and remunerating at the Pipe Office attempted between witness and secretary to Record Commission, but failed, 1697, 1701—— State of the Records in the Pipe Office very good, 1702——Records in Lord Treasurer's Remembrancer's Office are in a state of perfect arrangement and security, 1704–1705—— Not witness's duty as keeper to undertake the work of arranging Records, 1707, 1708——Witness never threw any obstacle in the way of the Commission arranging Records; always considered it the business of the Commissioners, 1710, 1711.

Good state of a large portion of the Records of the King's Remembrancer's Office, 1715 —— The miscellaneous Records in a bad state, 1717——Their arrangement by the Commission valuable to the public, 1718——Exertions of witness to prevent removal of Records to improper places for copying, the general success of his endeavour, 1720—— Number of persons who have legal access to Records, 1721——Evidence concerning the supposed sale of Records belonging to the Exchequer, 1722–1724—— Clerks employed in arranging Records in King's Bench Office, 1725——Evidence as to removal of Records to Boswell-court, 1730——As to intercourse with Commission, 1733 —— Difficult to distinguish between the Board and secretary, 1739——Circumstances under which witness submitted his correspondence with Mr. Cooper relative to Augmentation Office to Mr. Protheroe, 1741——Examination relative to the sale of Records at the sale of Mr. Craven Ord's effects, 1751.

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Wages. Sum paid for wages of workmen employed at different places in sorting, cleaning and repairing the Records, *App. p.* 771.

Wakefield Tower. A deposit for Records, *Cooper* 1060.

Wales. Sir H. Ellis engaged on a work relative to a territorial survey of lands of the time of Edward III., *Cooper* 1892.

Wardrobe Accounts. Are to be found in the Tower, Chapter House, Exchequer and British Museum, *Cole* 4762.

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Wars of the Succession. A collection of letters and papers of the Foreign Ambassador relating to the disputed succession of the Crown of Spain during the reign of Louis XIV., being published by the present Record Commission, *Wright* 8259.

Waste Paper. Quantity of the Record Commissioners' publications sold as waste paper, *Rep.* xxxvi.; *Hardy* 3684——Sale at a shop at Walbrook, *Hardy* 3685——Sent from Messrs. Baldwin and Cradock's to be sold as waste paper, *Hardy* 3692——Sale of 16 tons of Record publications as waste paper, *Phillips* 7541–7549.

Webster, Mr. His employment to digest returns; his discharge, *Cooper* 1096, 1112——Payments made at different times for arranging, classing, &c., the various returns made from Record offices, libraries and other public repositories in England and Wales, to the questions circulated by the Board in 1832, *App. p.* 770.
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Wellington, Duke of. His answer to an application of Sir H. Nicolas concerning the state of the Records, *Nicolas* 3883——Complaints against buildings in the Tower; correspondence with Duke of Wellington and Mr. Byham, *Cooper* 1061.
See also *Tower.*

Welsh Auditor's Office. Is incorporated with the office of Land Revenue; state of the Records, *Rep.* xix.

Welsh Case. Welsh case in which the absence of an index *locorum* was of the highest detriment to the cause, *Hewlett* 691.

Welsh Laws. Work confided to Mr. A. Owen; arrangement as to remuneration; work proceeding in a satisfactory manner, *Cooper* 2167——Extent to which such publication could be considered useful, *Vice-Chancellor* 6660–6662——Committee appointed on publication of Welsh Laws, *Cooper* 7723——Publication of, commenced as part of the materials for the History of Britain, *Cooper* 7912——Publication of, more a matter of antiquarian research than of practical utility, *Littledale* 8302.

Welsh Records. Records of Welsh Land Revenue Office; their state and present deposit, *Cooper* 1816–1821.

Welsh Rolls. Have only a very defective calendar, *Cooper* 1081——A larger number of Welsh Records than the Welsh Auditors possess are in the Augmentation Office, *Cole* 4761.

Westminster Hall. Records there are deposited in dark and humid cellars, *Rep.* viii.——Evils resulting from the removal of Records into the temporary building therein, *Rep.* xii.——Damage sustained by Records in their removal to, and during their deposit in Westminster Hall, *Cole* 4456–4462——Superintendence under which they were moved in 1831 by Mr. Adlington, when as much care was taken as could be in sending them to the King's Mews, *Cole* 4456–4469——Injury sustained in removing Records into sheds in Westminster Hall, *Cole* 4437.
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Wetherell, Sir *C.* (Analysis of his Evidence.)—Witness's approval of the recommendations of the Committee of 1800, as to measures to be proceeded in by the Record Commission, 5984——New publication of the Year Books would be eminently useful, 5985, 5986——New editions of Glanville, Britton, Bracton and Fleta would be valuable, 5988, 5989——Familiar knowledge of the Anglo-Saxon laws necessary for writing a history of the laws of England, 5990——Publication of state papers, or documents of that sort, important with reference to the history of the Constitution, 5992——Works published by the Record Commission, particularly the various Valuations and Taxations of ecclesiastical property, are absolutely essential; not a tithe case where it is not necessary to have recourse to them, 5994, 5995——Private Acts of Parliament of an early period would be a valuable publication, if confined to certain select subjects, 5996–6000——Considerable expense and hazard in making a search for documents, 6001——Compilation of calendars and indexes to the Records of the several depositories would be very useful publications, 6002.

Instance of the deed identifying the property of the Duchy of Cornwall being found somewhere in the Exchequer, among documents with which it had no connexion, 6004——No public depository in which greater facilities are afforded as to Records than the Court of Chancery, 6005–6008——Documents preserved in the Registrar's Office, 6007——Inconvenience of a public national Record Office; documents would be taken from a better, and placed in a worse custody, 6013——Reasons why the accumulation of such a vast mass of documents as that contemplated by a Record Office would be dangerous and inconvenient, 6018–6020——Witness doubts much whether any bookseller would undertake such publications as those of the Record Commission, 6021——But such publications should be undertaken at the public expense, 6021——The Year Books should be published at the public expense; probably no bookseller would undertake the publication as matter of profit, 6024——Bench of the Inner Temple have applied a sum of money from their own funds, upon the principle of public utility, conceiving that a bookseller would not run the risk of publishing inedited Reports of an early period, 5985, 6028——Inconvenience of Records of the

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Reasons why it is decidedly not better to vest the supreme direction in persons receiving salaries, 6034——Witness does not think it advantageous to unite the direction and the execution of Record publications in the same persons, 6035——Benefits must result from having persons of high legal and political situations in the Commission, 6036——This country should be behind no other in its collection of documents for diffusing such important information as historical knowledge, 6038——Reasons why the Year Books ought to be translated, 6039——Reasons for new editions of Fleta, Britton, Bracton and Glanville, 6043——A good edition of Anglo-Saxon laws would be convenient, 6044——A selection of private Acts down to a certain period, 6045——Catalogues and indexes should be formed to Records in such offices as are without, 6052——A separate collection of the repealed Statutes should be printed, 6055.

White Tower. A deposit for Records, *Cooper* 1060.

Whitaker, Mr. Evidence as to his Histories of Manchester and Craven, *Baines* 5454.

Wills. Many wills which are actually the property of the public, as much as those in the Prerogative Court of Canterbury, are in the hands of private individuals, *Protheroe* 1497——No power existing to compel the surrendering up of such documents to any proper place of deposit, *Protheroe* 1499——Individuals are required to produce original wills in support of a claim to real property in some courts of law, *Nicolas* 3932——But as a general rule they will receive attested copies, *Nicolas* 3934—— Expense of producing copies of wills in the House of Lords on the Bray peerage case, *Nicolas* 3941——Evidence concerning signatures of deputy registrars from the Prerogative Court of Canterbury, *Nicolas* 4173.

Disadvantages arising from there being no printed calendars of the wills deposited in the various courts having the power of granting probate, are felt by the practical man and literary inquirer, *App. p.* 866.

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Windsor Forest. Cause concerning, when Records were wanting for production in Court, but refused, *Illingworth* 887——Many hundred pounds paid by the Crown for copies, *Illingworth* 916.

Winton Domesday. Very valuable information respecting the inhabitants and internal policy of cities and boroughs to be obtained from this work, *Lingard, App. Q.* 12, *p.* 730.

Wolsey Cardinal. See *Cardinals' Bundles.*

Woods and Forests. Collect the quit-rents payable to the Crown under the Act of Settlement, *Groves* 5111——Incapacity of Record Solicitor to Woods and Forests; witness was enabled by means of Record Commissioners' works to prove the Crown's title to a tract of land, *Grimaldi* 6506–6509.

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Wright, Thomas. (Analysis of his Evidence.)—Employed by the French Government as a correspondent with the Record Commission of France, 6901——Mode of remuneration, 6902-6904——French Commission entirely centres in the Minister of Public Instruction; he appoints the Commission, 6905——One hundred and twenty thousand francs per annum allowed to Commission, 6906——Institute, 1834, object to print every document hitherto inedited relating to the history of France, 6911——Works published or in preparation, 6912–6914——Expenditure has hitherto been in editing or preparing manuscripts and transcripts, 6915——Manner in which editors are paid is for editing and transcribing, 6918——Allowance to Mr. Michel while transcribing the Chronicle of Normandy; now engaged in editing, 6922——System pursued of employing residents where Records existed, 6924——Also of sending agents, whose expenses were paid, to search, 6924.——One hundred and twenty thousand francs will produce greater results in France, printing and publishing being cheaper, 6926, 6927—— Printing done by the Government establishment, 6928—— Collection of Dom Bouquet carried on at expense of Institute, with Government assistance, 6930——Employment of Mr. Michel in England, by the French Record Commission, 6935, 6936——M. Guizot makes an annual report to the King and the Chambers of the proceedings of the historical department, 6937.

(Second Examination.)—Objects of the French Record Commission, 8253——Plan first to ascertain and arrange all the important unpublished materials from unexamined libraries, and afterwards to make selections and print, 8253, 8254——Commission has already sanctioned the publication of certain works already publicly known, 8256——Proceedings of the States-General held at Tours, 1684, 8257——Also a Collection of the Letters and Papers of the Foreign Ambassador, relating to the Disputed Succession of the

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Year Books. Recommendation of Select Committee 1800, recommended the series of Year Books from Edward I. to Henry VIII, *Cooper* 2180——New publication of the Year Books would be eminently useful, *Wetherell* 5985, 5986——Should be printed at the public expense, probably no bookseller would undertake the work as matter of profit, *Wetherell* 6024——A wild speculation in any bookseller to attempt a publication of such works as the Year Books, *Sweet* 6060——Attempts of witness to issue a new publication of Year Books and old Reports, relinquished on being convinced of the badness of the speculation, *Sweet* 6064——Witness does not think any bookseller would undertake the publication of the work mentioned by Sir C. Wetherell, even if made a present of the manuscript, *Sweet* 6067.

Incorrectness of the present printed Year Books; but at present more important works for the Record Commission to attend to, *Grimaldi* 6519–6521——Reprinting the Year Books would diffuse a more general knowledge of English law, than people possess at present, *Vice-Chancellor* 6658——Of the greatest service in facilitating the study of the law, that an authentic edition of the Year Books should be published; evidence as to value, use to lawyers, &c., *Stephen* 6769, 6777, 6782, 6811, 6820–6834——Mode of publication of former editions, *Stephen* 6838–6841——Deserve to be published, *Spankie* 7441——Very much to be desired that there should be a good edition of the Year Books, *Alderson* 7657——Very few practising lawyers pay attention to the Year Books, *Alderson* 7657——Reasons why publication of the Year Books unnecessary, the benefits would be in no proportion whatever to the loss, by the expense, *Sugden* 8009——No good results from publishing the Year Books, *Littledale* 8296.